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Devolution, health and education
head 30-measure Queen's Speech

Blair pledges shake-up for welfare state

By Philip Webster, Political Editor

TONY BLAIR promised a far-reaching shake-up of the welfare state yesterday as he unveiled the first Labour government programme for nearly 20 years.

The Prime Minister, who abandoned his official car to walk through the crowds from Downing Street to Parliament, hailed a 30-measure Queen's Speech which built on the hope and optimism that were "coursing through the nation". At its heart were measures to improve education and health, tackle crime and a big constitutional package, including Bills to provide for early referendums on a Scottish parliament, Welsh assembly and a new London authority and elected mayor.

As the Government races to begin implementing its manifesto, the Scottish and Welsh referendum Bill will be published today and debated in the Commons next Wednesday and Thursday.

But Mr Blair made plain that the drive to modernise the welfare state and to tackle the £90 billion social security bill was one of his main priorities in the years ahead. He said that "we have reached the limits of the public's willingness simply to fund an un-reformed welfare system through ever higher taxes and spending." He added: "We face the prospect of rising welfare bills, but combined with rising poverty and social division."

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The blunt truth was that the world of 1997 bore little resemblance in work patterns, industrial production and family or social life to the world of 1947. Mr Blair's appointment of the free-thinking Frank Field as his Social Security Minister to oversee a long-term review of welfare reform was a pointer to his intentions.

The programme to get 250,000 young people off welfare and into work through the windfall tax to be introduced in next month's Budget was described by Mr Blair as "one part of the welfare shake-up. He pointed to work already under way on benefit reform, benefit fraud, help for lone parents, the funding of higher education and a planned royal commission on community care.

However, the Prime Minister was also at pains to dampen expectations that too much could be done too quickly, even though they had shown in 12 days how they could make a difference. He said: "We will not put right the damage of 18 years in 18 days or even 18 months."

Mr Blair dubbed his programme "both practical and

radical" and said that just as Labour spoke for the whole nation, it would serve the whole nation.

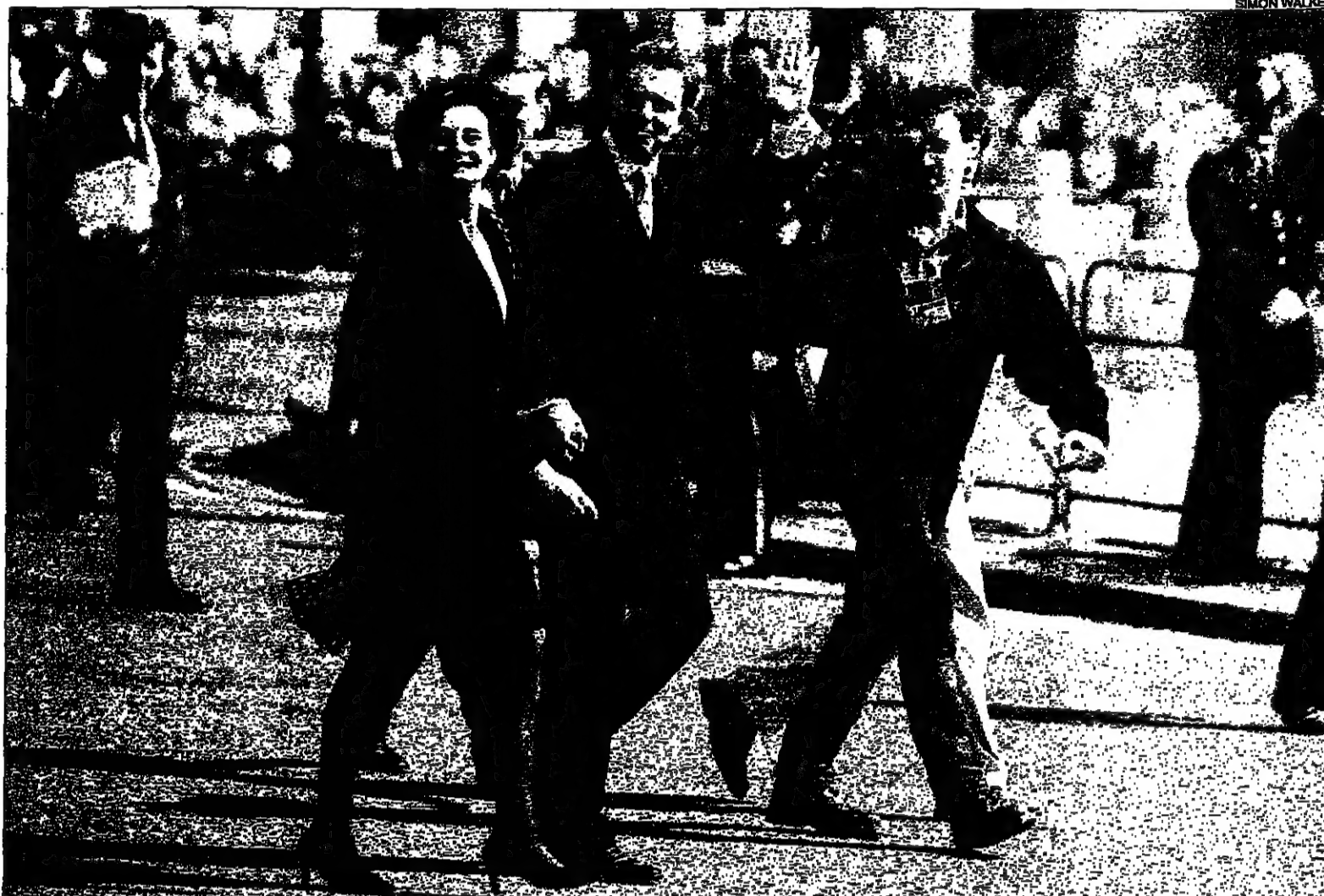
John Major, the Conservative leader, warned Mr Blair not to be too much of a man in a hurry, telling him that he should be careful how he used his substantial majority in the House of Commons. Mr Major also criticised the Bill giving independence to the Bank of England to set interest rates, telling Gordon Brown, the Chancellor, that it would be a decision he regretted.

He said that there was "a very great deal" in the Queen's Speech package that Conservatives could support, but he promised vigorous opposition to areas they thought were not in the national interest.

Twenty-two Bills were contained in the Speech, five more were signalled and there were three White Papers that eventually will lead to legislation.

Mr Blair said that they represented the "alliance of progress and justice too long absent from politics under Conservative government", adding: "Our mandate is clear: to modernise what is outdated and to make fair what is unjust, and to do both by the best means available, irrespective of dogma or doctrine and without fear or favour."

Highlights were the well-trailed plans to cut class sizes for five to seven-year-olds. Continued on page 2, col 5



Tony and Cherie Blair abandoned Downing Street's official limousine to walk to Parliament for the Queen's Speech ceremony yesterday

Pageant replaced by walk to Westminster

By James Landale, Political Reporter

A POPULIST note was introduced to the traditional pomp and pageant of the State Opening of Parliament yesterday when Tony Blair went on an unexpected walkabout on his way to the Palace of Westminster for the Queen's Speech.

As the Queen arrived in her gilded horse-drawn coach, the Prime Minister and his wife Cherie abandoned their official car for the short walk from Downing Street. Taking advantage of the tight security and the traffic ban in Whitehall, Mr and Mrs Blair shook hands with cheering members of the public.

The move, designed to boost

Mr Blair's image as a man of the people, which was carefully cultivated during the election campaign, has clear precedents in America, where the political walkabout first emerged as a campaign tool.

Such is new Labour's attention to detail that Mrs Blair

wore a scarf in the same way that Hillary Clinton, the US President's wife, wears hers, with a length hanging down from the left shoulder.

Mr Blair has clearly ignored a warning given by one of Mr Clinton's former senior aides earlier this week to avoid

becoming too populist. George Stephanopoulos, Mr Clinton's former right-hand man, told Labour MPs, officials and party strategists in London not to overdo the populism. He said Mr Clinton had suffered from "too much of the common touch" and had lost the

mystique that sustained governments in times of trouble.

Mr Blair's Westminster walkabout also echoed the walk down Pennsylvania Avenue in Washington taken by former President Jimmy Carter and his wife Rosalynn after he was sworn in on January 1977.

Later Mrs Blair went on her own personal walkabout on the balcony inside the House of Lords, where she was to watch the Queen deliver her speech. Amid all the splendour of ermine-clad peers and their wives in extravagant gowns and tiaras, Mrs Blair chatted with the spouses of other senior Labour and Liberal Democrat figures as if she were attending a coffee morning.



American style: the Carters in 1977 set the style followed by the Clintons

"Listen, I've got this amazing new tax evasion scheme"

Fall in jobless

Unemployment dipped to a near seven-year low yesterday — as the new Government signalled moves to reform the way in which the monthly figures will be calculated. Page 25

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Supermarkets declare germ warfare

By Nigel Hawkes, Science Editor

PRODUCTS with built-in bug control are about to appear on the shelves of two of Britain's biggest retailers.

Sainsbury's and Marks & Spencer yesterday announced deals to sell products impregnated with Microban, a disinfectant that can kill a wide range of bacteria and fungi, including those implicated in most food-poisoning scares.

The protection, to be added to products such as chopping boards, dishcloths, bin-liners, towels and bath mats, was described as a breakthrough in hygiene by Kevin McCarter, the marketing director of Sainsbury's.

While not replacing the normal rules of safe food preparation, he said that Microban added an extra layer of protection, killing more than 99 per cent of

bacteria, including listeria, salmonella, and E. coli O157.

It would be used by the company in its own food preparation areas, and sold in a wide range of products. The company's research, among customers, had shown an "overwhelming interest in this innovation". The new products will cost more than their conventional equivalents, but prices have yet to be fixed.

Microban International, the New York company behind the product, has agreed a deal with Sainsbury's for the next two years. It has struck a separate deal with Marks & Spencer, which is to launch an antibacterial range of towels and bath mats in its Shoreham and Camberley stores next week.

The active ingredient, Triclosan, made by Ciba, is

already used extensively in toothpaste and other toiletries. It can be incorporated into items made of plastic or man-made fibres during manufacture and is constantly replenished as molecules migrate to the surface from the interior of the plastic.

That means that even if a chopping board is stripped of its antibacterial properties by intensive cleaning, it quickly regains them as fresh molecules work their way to the surface. Sainsbury's says that protection should last the full lifetime of the article. In the case of towels and bath mats, protection is guaranteed for up to 50 washes.

Geoffrey Sprigal, the director of scientific services for Sainsbury's, said that there were now 100,000 reported cases of food poisoning a year

in Britain, a significant proportion caused by cross-contamination — using the same chopping board for raw and cooked meats, for example.

"Microban is not a substitute for proper hygiene," he said. "But Microban goes on working 24 hours a day, 365 days a year for the life of the product. We think it is a breakthrough in food preparation."

Sainsbury's will offer 60 products from September, ranging from plastic storage boxes to potato mashers. The company's tests showed that when a Microban-treated chopping board was infected with E. coli O157, the number of bacteria fell over 24 hours from 100,000 to 300. On an untreated board numbers rose from 100,000 to ten billion over the same period.

Channel Tunnel repairs complete

Channel Tunnel repairs costing more than £50 million were completed yesterday, six months after the blaze that damaged more than 600 metres of tunnel. The completion means that journey times for the train and car shuttle services should return to normal. The freight service is expected to restart next month.

Rajiv Gandhi 'at heart of scandal'

Rajiv Gandhi, the former Indian Prime Minister, has been singled out as the key conspirator in the multi-million pound scandal involving the arms manufacturer Bofors. Mr Gandhi, who was assassinated in 1991, is named in a charge sheet prepared by India's Central Bureau of Investigation. Page 16

Laurie Lee dies in the village he immortalised

By Alan Hamilton

LAURIE LEE, the poet and author who immortalised Gloucestershire countryside in his autobiographical *Cider With Rosie*, has died at his Cotswold home, aged 82.

The writer, who underwent major abdominal surgery last year, had been unwell since Christmas. He died on Tuesday in the house he and his wife Kathy occupied in the village of Slad, near Stroud, where he was born in 1914 and to which he returned in his

later years. His wife and daughter, Jessy, his only child, were with him at the end.

Last year he helped in a successful campaign to prevent a developer from building 90 homes in Slad Valley, arguing that its landscape had remained largely unchanged for 1,000 years.

Last night fellow villagers mourned the passing of the man who put them on the literary map. David Tarratt, the publisher of the Woolpack Inn, next to Lee's home, said: "The village will never be the

same without him. He was such an entertaining man who always had time for visitors, who came to see him from all over the world. He had been very ill and had lost many of his faculties, although his mind was still sharp. His death was not a complete surprise, but it is still a very sad moment."

Despite several counter-claims, Lee took with him to the grave the identity of the heroine of his bucolic celebration of young love in *Cider With Rosie*.

He will be buried after a private funeral at his village on Tuesday, and his family are expected to announce a memorial service later.

Known to villagers as a man full of tricks and quips, Lee said shortly before his death that he dreamt of having a heart attack in Hatchards bookshop, an obituary by Ted Hughes, a memorial service at the Garrick Club and a drinking fountain in Poets' Corner, Westminster Abbey.

Obituary, page 23



Lee helped to save valley

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Boothroyd bans Sinn Fein MPs from Commons

BY ARTHUR LEATHLEY AND NICHOLAS WAIT

THE Sinn Fein MPs Gerry Adams and Martin McGuinness are to be barred from using Commons facilities following their refusal to swear their allegiance to the Queen.

Betty Boothroyd, the Speaker, changed Commons rules in response to widespread condemnation of the MPs' announcement that they intended to make free use of offices, stationery and telephones.

Her ruling raised the prospect of a legal challenge by Mr Adams, the Sinn Fein president, and Mr McGuinness, the party's chief negotiator. Courts have been, however, reluctant to challenge Parli-

ment's right to set its own rules.

MPs who refuse to take the Commons oath were already barred from claiming a salary or allowances but had been allowed to use facilities at Westminster. Miss Boothroyd said yesterday that it would be "in the interests of the House" to extend the restrictions, clearing up an issue that had not been ruled on formally.

She said the Commons had "traditionally accommodated great extremes of opinion", but added: "I feel certain that those who choose not to take their seats should not have access to the many benefits and facilities now available in

this House without also taking up their responsibility as Members."

Under parliamentary rules, MPs who refuse to take the oath or affirmation can be fined £500 each time they sit or vote in the Commons and can be disqualified as MPs.

Miss Boothroyd said that from the end of the debate on the Queen's Speech, on Tuesday, the services available to MPs in the House "will not be open for use by Members who have not taken their seats by swearing or by affirmation". Her ruling will be incorporated in Erskine May, the parliamentary rulebook.

It was not immediately clear whether the two MPs would have access to the Commons before the new rules were introduced and they are planning to visit the Commons before Tuesday. Mr Adams said yesterday: "Myself and Martin McGuinness will be going there because there is a gap in our schedules and to pick up our passes."

"We will have a look around the place and get the feel of it. It is an historic building. I think we should acquaint ourselves with it. We intend to network and to meet and to lobby those who are interested in doing that with us."

He added: "I have a duty, as has Martin McGuinness, to represent my constituency. We gave a commitment that we will not take an oath to an English Queen."

Mr McGuinness said that a ban raised "very serious questions about the attitude of Parliament in relation to treating the people that I represent as second-class citizens. There may be legal avenues we would need to explore."

□ The Loyalist Volunteer Force, a breakaway terrorist group, was blamed yesterday for the shooting of a Roman Catholic father-of-six in Bellaghy, Co Londonderry, on Monday. The group, formed by hardliners who opposed the ceasefire, is also thought to have tried to shoot a delivery man yesterday in Milford, Co Armagh. A masked man approached the man, who is in his 30s, but his gun jammed.

Ms Maher said of the letter: "It doesn't mince words. It says 'Dear Madam', not even using the person's name. It also says the first payment is due within seven days. Then it gets nasty."

"I warned people this would happen. The Inland Revenue has not waited long. Only a few weeks ago we saw bumbling Hector patronising us all and telling us how simple self-assessment was going to be. Now they are trying to frighten small businesspeople and individuals. It's tax terrorism."

The Revenue was unrepentant yesterday, saying that it had every right to start becoming "a little firm" when people were several months behind with their payments. A spokeswoman said of the letter in question: "We have been sending out letters like that for a long time. The payment is now three months late."

Officials said that there was no timescale of lateness for sending such letters. Collectors were more likely to send them if they had heard nothing from the taxpayer concerned in response to earlier, gentler reminders.

According to Ms Maher, who has produced her own version of a model taxpayer's letter, plain English is about communicating and using warm and courteous language as well as making things clear. The Revenue's threat was clear, but showed no warmth or understanding.

"Instead of threatening, the letter should explain. It should acknowledge that



The cartoon Hector is portrayed as a bumbling bureaucrat, but the Plain English Campaign says he is a bully

In plain English, Hector, you are nothing but a tax terrorist

BY ALAN HAMILTON

HECTOR, the cartoon taxman with the Alec Guinness voice used by the Inland Revenue to publicise its new self-assessment system, is no bumbling bureaucrat, but rather a tax terrorist who sends out menacing letters to frighten the unwary, according to the Plain English Campaign.

Chrissie Maher, the director of the 25-year-old campaign, who has persuaded many government departments to abandon jargon and simplify their language in official forms and documents, accused the Revenue of terrifying people who were trying their best to understand the complex new system.

She made the claim after a supporter of her campaign passed her a letter from the Revenue's tax collection office in Stockport threatening legal proceedings, seizure of possessions and a court case.

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using the person's name. It also says the first payment is due within seven days. Then it gets nasty."

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"Instead of threatening, the letter should explain. It should acknowledge that

Dear Madam,
Self-assessment 1st payment overdue: £x
This includes interest to 7/5/97.
The total amount above is unpaid. Please pay it now unless you have done so within the last few days. You will find more information on the amount you owe and how to pay it on your Statement of Account.
If I do not receive your payment within 7 days I shall start legal proceedings to collect the amount due.
This could result in:
■ your possessions being seized, removed and sold at public auction, or
■ a court order or judgement against you.
It may also mean you have to pay costs.
Should you wish to discuss this matter further then please contact this office immediately.
You are reminded that interest is charged on late payments and this increases daily.
Yours sincerely (illegible signature)

Dear Mrs Smith,
The new Self-Assessment system has now started. Please send your first payment for tax. This includes interest from Date A to Date B.
If you have already sent your payment, I am sorry for troubling you. If not, please pay it now. You will find more information on the amount you owe, and how to pay it, on your statement of account.
If I do not receive your payment within seven days, I will have to start legal proceedings to collect the amount you owe. These proceedings could include:
■ your possessions being removed by a bailiff and sold at public auction, or
■ a court order being made against you.
You could also have to pay costs.
Obviously we do not want this to happen. If you have any questions, please contact me immediately at the number shown above. Please remember that we increase the interest you have to pay each day.
Yours sincerely, (printed name)

people are puzzled by self-assessment. It should tell them, politely but clearly, why their tax is due, and what the penalties are for being late."

She said that she was considering writing to Gordon Brown, the Chancellor of the Exchequer, asking him to declare an amnesty for small taxpayers bamboozled by self-assessment.

Church survey rejects Prince

By RUTH GLEDHILL

A SURVEY of readers of the Church of England Newspaper has found that 76 per cent do not want the Prince of Wales to become Supreme Governor of the Church of England.

More than 400 of the weekly tabloid's 11,000 readers responded to a questionnaire published in a March edition. One third of those were clergy, and two thirds men.

According to the survey, published in tomorrow's edition of the paper, two factors are behind the results: "Firstly, Prince Charles's admission of adultery and subsequent divorce. Secondly, his comments about being defender of faith rather than Defender of the Faith."

The largely evangelical readership could be expected to take that view, and the survey is unlikely to be representative of all churchgoers.

The Right Rev Michael Nazir-Ali, Bishop of Rochester, said: "Very often this kind of response is because there is a misunderstanding of what Supreme Governor really means. It does not mean that Prince Charles would have any authority in areas of doctrine or worship or the moral aspect of the Church."

The Right Rev Colin Buchanan, Bishop of Woolwich, and the Church's leading advocate of disestablishment, said the standing of a particular monarch was not the central question.

Canon Michael Seward, of St Paul's Cathedral, said: "However, regrettable adultery may be in anyone's life, it has a long history in the British monarchy and to add one more adulterer to the list is hardly going to create a precedent."

Clergy urged to oppose gay lobby

A clergyman has begun a national campaign to counter what he calls "the growing threat of the gay lobby to the Church of England."

The Reverend Tony Higon, rector of Hawkehill in Essex, and founder of Action for Biblical Witness to our Nation, has written to each of the 10,000 full-time clergyman and women in the Church, urging them "to take simple but effective action to stem the tide of the gay lobby", and warning them that churches could be prevented from refusing to appoint clergy who are practising homosexuals.

Mr Higon's intervention represents a growing body of opinion on the evangelical and traditionalist wings of the Church. There is growing dissension within the Anglican Church over the issue.

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Woolwich Prime Gold (Instant Access)	1.00% ¹	2.00%	2.00%	2.25%	3.00%	3.50%	3.75%	3.75%
TSB Flexible Savings Account (Instant Access)	0.50%	2.60% ^{1†}	2.60%	2.75%	3.20%	3.65%	3.75%	3.75%
Halifax Liquid Gold (Instant Access)	0.50% ²	2.45%	2.65%	2.95%	3.25%	3.50%	3.50%	3.50%

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Shake-up

Continued from page 1
using funds from the scrapping of the assisted places scheme; a drive to push up education standards, including the closure of failing schools; an end to the internal market in the National Health Service and an attempt to attract more private funds into the NHS; the use of mid-week lottery profits to finance extra health and education projects; faster sentencing for young thugs; the establishment of a low-pay commission to fix a national minimum wage; and a ban on all handguns.

Left out were proposals to reform the Lords, expected in the second Labour session, and plans to give unions recognition rights.

Tradition was maintained in the ceremonial accompanying the Queen's procession from Buckingham Palace to Westminster to deliver the new Government's programme in the House of Lords.

But the tone of change was apparent in her address, which is written by ministers. There was an instantly political flavour in her first words on the direction of the programme: "My Government intends to govern for the benefit of the whole nation. The education of young people will be my Government's first priority."

Then there were commitments to high and stable levels of employment, a fundamental attack on youth unemployment as well as on long-term unemployment and the first national housebuilding programme for well over a decade.

Later Mr Blair said: "We have started as we mean to go on: offering leadership, setting the agenda, not having it set for us. In short, doing the job we were elected to do - governing, for the whole nation."

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Care home staff brutalised mentally ill residents

BY A STAFF REPORTER

A FORMER nursing home director and two colleagues were convicted yesterday of ill-treating mentally handicapped residents in two private homes at which the regimes were said to be more like Army camps than nursing homes.

Residents were slapped, their hair was pulled and they were denied lavatory paper, toothpaste and soap. One woman with Down's syndrome was made to eat her meals outside, even in the rain, and another was dragged down stairs by her hair.

An inquiry by Buckinghamshire County Council in 1994 unearthed a catalogue of sexual and physical abuse committed by Gordon Rowe, who ran Stoke Place Mansion House and Stoke Green

House, both in Stoke Poges, with his wife, Angela. Gordon Rowe, who killed himself in his car in March last year, would have faced charges of being principally responsible for cruelty at the homes, police said.

Former Detective Superintendent Jon Bound, of Thames Valley Police, who investigated the abuse allegations, said what went on at the homes was "absolutely appalling". Out of 70 residents in the homes, there were allegations of abuse involving 40 of them.

"Mr Rowe was sexually abusing female residents as well as physically assaulting men and women. Had he been in court today, he would have been charged with a number of counts of rape, indecent



Desmond Tully, left, Angela Rowe, centre, and Lorraine Field were all convicted of mistreating patients in their care

assault and ill-treatment." Angela Rowe, 39, was not present as a jury at Kingston Crown Court took 21 hours to find her, Desmond Tully and Lorraine Field guilty of mistreating patients in their care. Rowe was not fit to attend after

collapsing on Monday, when she was found guilty of neglecting two patients.

Gary Moreton, a care worker, had broken down in tears as he told the court of handicapped residents being turned into shadows by the

harsh regime. Mr Moreton said that one man, Michael Smith, had begged on his knees not to be forced to work in the garden in all weathers, which prompted Gordon Rowe to lock him in his room for up to five days at a time.

Mr Smith had been "a bubbly young man, full of enthusiasm and always extremely happy and excited about life" when Mr Moreton first met him. But by the end of Mr Moreton's three years at the homes, "he was totally wrecked".

Relatives of some of the victims said that they would pursue civil action for damages against Buckinghamshire County Council. Pauline Hennessey, 35, sister of one of the residents, Janet Ward, said she was outraged that Miss Ward had been referred to as violent and aggressive throughout the trial.

She said: "She was raped, abused, ill-treated and neglected. She went straight to Stoke Place from convent school and died within two years of leaving the home."

Stephen Morris, a psychotherapist who treated some patients after the revelations of ill-treatment, said: "These people are the most severely traumatised I have ever had to deal with in all my years of professional practice."

Angela Rowe was convicted of two charges of ill-treating residents and two of wilfully neglecting residents. Tully, 33, of Exeter, described as effectively the manager of Stoke Place for several years, was convicted of one charge of mistreating a patient and cleared on two others. Field, 42, a senior care supervisor, was convicted of three charges of ill-treating resi-

dents. All had denied the charges. Buckinghamshire County Council said yesterday that it had acted quickly and firmly. Audrey Bainbridge, chairman of the social services committee, said: "The prime role of social services has always been to protect the residents' welfare and I'm proud of the way we did that. The question of prosecution and punishment is one for the police and the Crown Prosecution Service."

"I'm proud of the way our inspectors carried out an intensive and determined investigation and succeeded in uncovering a catalogue of allegations. We chose to take instant action by insisting on an immediate change of management and demanding an extensive list of improvements at the home. I'm convinced that was right."

Culture clash of race steward and the TV executives

BY RICHARD EVANS, RACING CORRESPONDENT

TELEVISION executives have made a formal complaint about "outrageous arrogance and extreme discourtesy" shown by a racing official at a half-hour meeting. One of the executives was told to take his hand out of his pocket and both were told to remain standing.

The complaint about the attitude displayed by John Jenyns, the chairman of the York panel of stewards, is being lodged with the Jockey Club over the way he treated John Fairley, a former managing director of Yorkshire Television, and Andrew Franklin, the producer of Channel 4 racing.

Mr Fairley and Mr Franklin met Mr Jenyns and three of his colleagues in the stewards' room at York racecourse on Tuesday evening to discuss their refusal to allow a mini-camera into the parade ring.

Mr Franklin said: "After introducing ourselves, I asked if they minded if we sat down. Mr Jenyns said: 'No. You will remain standing.' He then gestured to John Fairley and said 'and you will take your hands out of your pockets.'"

The complaint has embarrassed the Jockey Club, which

wishes to help television companies to make the most of covering racing, and senior officials at Portman Square were "seething" last night over the alleged behaviour of Mr Jenyns, 52, a solicitor from Huttons Ambo, near York.

Mr Fairley, chairman of Highflyer Productions which covers racing for Channel 4, said: "We were treated like recalcitrant jockeys or trainers. He required us to stand and take our hands out of our pockets. There was a temptation to leave but we had an issue to settle and the upshot is that I have written to Sir Thomas Pilkington, the senior steward of the Jockey Club."

"We were simply trying to have a discussion. There was no suggestion we had done anything remiss. Both Andrew and I have been involved in racing for a very long time and it was a reminder of the extraordinary practices which are obviously inflicted on people, such as jockeys and trainers, whose livelihood depends on stewards' judgement. I was one of the people who first filmed a stewards' enquiry at York about 12 years ago. That at least resulted in jockeys being addressed as Mr

Eddery rather than just Eddery. Clearly there has been no progress since then."

"In my letter to Sir Thomas, I said that in a world where the governance of racing and its finances is clearly going to be on the agenda of the incoming government, issues that affect the betting public's money can no longer be decided in secret by people whose behaviour is no longer in keeping with the way the rest of us conduct our lives in the 1990s. They must look at it urgently."

Mr Fairley said that Brooke Holliday, chairman of the York race committee, apologised yesterday. Mr Franklin added: "Jenyns' behaviour was contemptuous and quite unbelievable."

After considering the arguments put forward by Fairley and Franklin, Jenyns and his colleagues yesterday confirmed the ban on mini-cameras. Mr Jenyns is known as Mr Racing in York, where his extensive knowledge of the racing world is highly respected.

He refused to discuss the matter last night. He said: "Stewards are not allowed to comment."



John Jenyns remain standing and "take your hands out of your pockets"

Owner must pull down new wall at old rectory

BY FRANCES GIBB, LEGAL CORRESPONDENT

A MAN who tore down the simple stone wall around his listed home and erected an ornate entrance with remote-control gates was told by the High Court yesterday to demolish his handiwork and restore the boundary to its original state.

Deputy Judge George Bartlett, QC, upheld a Department of the Environment ruling that the wall built by Eric Norman around his 19th-century home, a former rectory, was alien to the village's historic character.

Mr Norman built new boundary and garden walls and installed a remote-control cast-iron gate without planning permission at his home, Normanton Grange, in Normanton le Heath, Leicestershire. In May 1995 North West Leicestershire District Council ordered him to demolish his work and restore his home to its traditional appearance.

Yesterday Judge Bartlett said Mr Norman had neither appealed against nor complied with the council's enforcement notice but had put forward proposals that only differed "in matters of detail" from what he had already built.

The council refused planning consent, saying the proposals would undermine the

character of the village and clash with the 14th-century listed church that adjoined Mr Norman's property. The council condemned the new gate as "over-ornate".

Undeterred, Mr Norman appealed to a DoE planning inspector who agreed with the council that the development was "architecturally dominant" and alien to the simple design of other buildings along Normanton le Heath's main street.

While not accepting the council's claim that the wall Mr Norman had demolished was 400 to 500 years old, the inspector said it had probably been "a simple vernacular stone wall" without any special architectural merit, but still of "historical interest".

Mr Norman claimed all walls looked stark to begin with and his new wall would in time merge in with its surroundings. He was treating it with a mixture of "foul-smelling liquids" to encourage moss and lichen-growth.

Dismissing Mr Norman's application, the judge said the inspector had been entitled to reach the conclusion that the demolished wall had been of historical interest. Mr Norman was ordered to pay costs of the appeal, which are likely to run into thousands.

Kray 'was lynchpin in £39m drug deal'

BY STEWART TENDLER

CHARLIE KRAY, the elder brother of the Kray twins, was yesterday accused of being the lynchpin in a multi-million pound drug deal. He was arrested by undercover police officers after allegedly offering to supply cocaine with a street value of up to £39 million to a detective.

A jury at Woolwich Crown Court in southeast London was told that Mr Kray acted for both suppliers and buyers. He was careful never to be present when the drugs were passed because he was too well-known as a member of the Kray family. In a secretly taped discussion, Mr Kray said there were two many eyes on him.

Yesterday Mr Kray, 70, from Sanderstead, Surrey, denied offering to supply cocaine in June last year to the officer, who posed as a crooked businessman from Newcastle. Mr Kray also denied supplying two kilos of cocaine to undercover officers a month later.



Charlie Kray denies offering to supply drugs

Opening the prosecution case, John Kelsey-Fry told the court that Robert Gould, 39, from Wimbledon, south London, and Ronald Field, 49, from Raynes Park, south London, have already pleaded guilty to charges linked to the cocaine. Mr Field had pleaded to offering the drugs and both men had pleaded guilty to its supply. Mr Kelsey-Fry said Mr Kray was an "affable, slightly down at heel character much liked by his friends whose company is sought after at various functions. He amuses people with tales about the old days and the twins. The Crown alleges that behind this affable image is another side of his life."

The trial continues.

'Baddest boy' of pop jailed for 3 months

BY KATHRYN KNIGHT

THE soul singer Mark Morrison was jailed for three months yesterday for threatening a police officer with an electric stun gun.

Morrison, 24, who has had five top ten hits, shook his head as David Kennet-Brown, sitting at Marylebone Magistrates' Court, said he had no option but to send him to prison in view of his string of "horrendous" public order offences. Plans for a promotional tour of America, where Morrison's single *Return of the Mack* is number three, will have to be postponed.

Colin Nott, Morrison's solicitor, said the singer, who earlier this year described himself as the "baddest boy in pop music", took full responsibility for his actions. Mr Nott asked the magistrate to consider imposing community service rather than a prison sentence, which could ruin Morrison's career.

"He has worked very hard in establishing the position he now has in the pop music field... the bad-boy image of pop may go down very well in America but as far as England and Europe are concerned it is not an image he seeks to cultivate. It will destroy him," Mr Nott said.

The clang of the prison gates for him will affect his future. If he goes to prison, that will affect his situation relating to travel and professionally it will affect him seriously.

Morrison was arrested by police who thought he was trying to rob an all-night shop in Notting Hill, west London, last October. A plainclothes officer was in the shop at 4.30am when he heard a clicking noise behind him, turned and saw Morrison holding a stun gun.

The officers tried to caution Morrison as he left the store but after a tussle he ran off shouting: "I am Mark Morrison." He was chased and threatened one of the officers with the stun gun before being disarmed and arrested.

The court was told yesterday

that the weapon could cause involuntary muscle contraction, pain, shock, a loss of balance and mental confusion. Morrison had argued that he did not know the stun gun was illegal and had bought it to protect himself from unwanted attention since he had become a public figure.

Tim Clutterbuck, for the prosecution, said Morrison had a string of previous convictions, including a conviction for affray in relation to an incident at a Leicester nightclub in which a young man was stabbed the death. While on bail awaiting his present trial he was fined £750 for threatening behaviour after shouting abuse at members of the public.

In mitigation, Mr Nott said Morrison had shown concern for society through his charity work, which included work for Children in Need and local schools.

Mr Kennet-Brown told Morrison that any previous claims to good character had been ruined by "a horrendous record of public order offences". He ordered Morrison to pay £350 costs and imposed a destruction order in relation to the stun gun.

As Morrison was taken away to Wormwood Scrubs, where he is expected to serve his sentence, Mr Nott said he was considering an appeal.



Morrison: US tour will have to be postponed

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Book judges make revolutionary choice for £25,000 award

By ERICA WAGNER, LITERARY EDITOR

THE judges of the NCR Book Award last night announced a surprise winner, Orlando Figes's *A People's Tragedy: The Russian Revolution 1917-1924*. Norman Davies's magisterial *Europe* had been the favourite for the £25,000 prize.

Mr Davies and the other two shortlisted authors, Antonia Fraser for *The Gunpowder Plot* and Frank McLynn for *Jag*, received £2,500. The 10th anniversary of the award was also a triumph for Dr Figes's publishers, Jonathan Cape: this is the fifth consecutive year that one of their books has taken the award.

A close battle over the winner was fought by the judges, the baristas and broadcaster, Clive Anderson, the astronomer Dr Heather Couper, the *Times* columnist Nigella Lawson, the broadcaster Sarah Kennedy and David Taylor of the publishers Blackwell's. Mr Anderson, chairman of the judges, said of



the winner: "This is a brilliantly written account of the Russian Revolution which manages, in a work of scholarship, to bring the ghostly events of this important world event vividly to life." Norman Stone, Oxford Professor of Modern History, has described Dr Figes as the leading historian of Russia of his generation. The award was given in London last night.

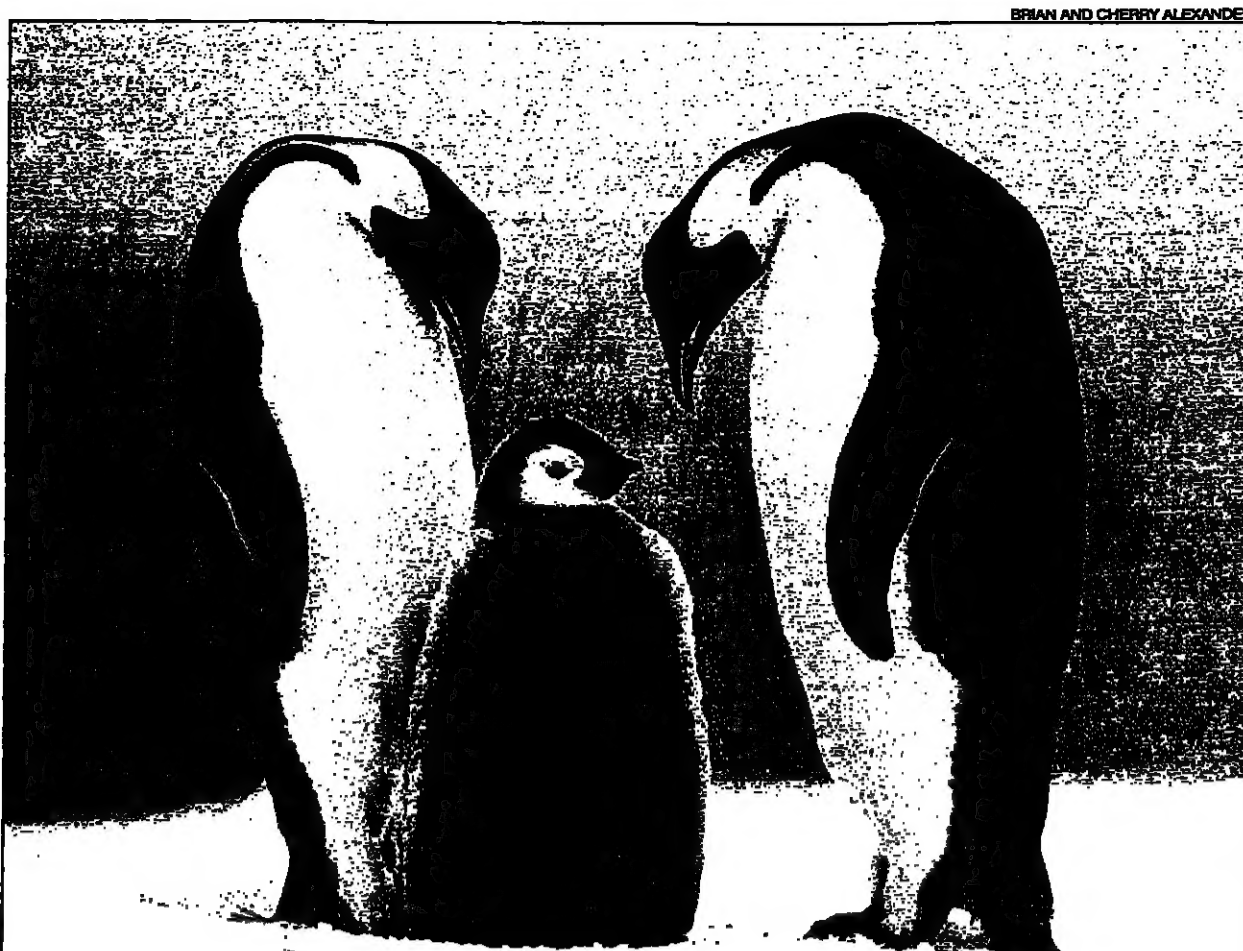
Richard Pipes, an American

professor, made claims of a small number of similarities between Dr Figes's book and his own work, *The Russian Revolution*. Dr Figes refuted all charges of plagiarism, and other Russian experts were surprised to learn of the accusations.

A Spanish novelist who lectured at Oxford and wrote a fictional account of university life has won the world's largest literary prize for a single work of fiction. Javier Marías, will receive the £100,000 International IMPAC Dublin Literary Award for his novel *A Heart So White*.

Señor Marías, 46, won acclaim in Britain for his book *All Souls*. *A Heart So White* failed to generate public interest when it was translated into English two years ago. But Margaret Drabble, the author, who was one of the judges, described it as "a revelation".

Books, pages 38 and 39



Down in the dumps: Emperor penguins are thought to have caught the virus from rubbish discarded by tourists

Penguins pick up chicken infection

By NIGEL HAWKES

ANTARCTIC penguins have fallen victim to a chicken disease, probably introduced by scientists or visitors carelessly discarding rubbish. The condition, infectious bursal disease, is carried by a virus and is common in poultry throughout the northern hemisphere.

Until now Antarctic penguins have been protected by their remoteness, but increasing human activity in Antarctica may be bringing that to an end, say Dr Heather Gardner and colleagues at the Australian Department of Environment, Sport and Territories. The effect of the virus, which particularly affects young birds, is to retard growth and make the Emperor and Adélie penguins susceptible to other infections. Mortality rates can be high. The likely cause is the careless disposal of infected chicken meat, which is then spread by scavenging birds such as the skua. The virus could also be on footwear or tyres contaminated by bird droppings.

'Top-tier' fence jailed for selling Rembrandt

By PAUL WILKINSON

A HIGH-CLASS "fence" who sold a stolen £4-million Rembrandt to an undercover detective for £60,000 was jailed for nine years yesterday. David Duddin, 51, was one of only a handful of "top-tier" receivers of top-quality stolen objects d'art in the country. He was targeted by detectives investigating a spate of robberies from stately homes and galleries all over Britain.

During their ten-week operation, the police successfully introduced two undercover officers, posing as knowledgeable black-market buyers, to the gang of art thieves. It was evidence from the two, identified only as James and Vincent, which helped convict Duddin, 51, from Newcastle, on six charges of handling stolen property after a three-week trial at Newcastle upon Tyne Crown Court.

William Lowe, QC, for the prosecution, said Duddin handled a variety of expensive items including the Rembrandt painting *Portrait of His Mother*, stolen from the Earl of Pembroke's home, Wilton House in Salisbury.

Crews pull together to revive Tyne boat races

By PAUL WILKINSON

TWO university rowing clubs will race head to head this weekend in a contest they hope will become the northern equivalent of the Oxford and Cambridge boat race.

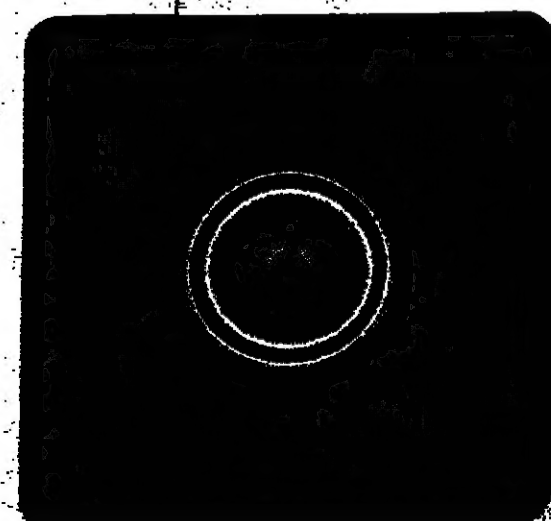
Eights from Newcastle and Durham will row over an 1,800-metre course on the Tyne. "It would be ridiculous to suggest this will be a rival to the Boat Race, but we hope it will become another highlight on the sporting calendar," a Durham University spokesman said. It will be the first time the two universities have held such a race, although they have competed against each other at regattas.

They hope that the event, which will finish beneath the Tyne Bridge, will reawaken a former passion for rowing in the region that rivalled its current obsession with football. In the mid-1800s thousands would line the river to watch races between special adaptations of the keel boats used to unload coal on the Tyne. Prize-money was as high as £600 and thousands more was wagered.

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Kline: craving dialogue

Most film scripts are dire says Kline

FROM DANA ALBERGE IN CANES

THE American actor Kevin Kline said yesterday that 98 per cent of modern film scripts were dire and that his craving for dialogue was generally satisfied only in the theatre.

Kline, at the Cannes Film Festival where his latest film, *The Ice House*, is having its premiere, said that few films impressed him. And I have to 'read' those scripts. I know by the sixth page that I'm not going to do it. I'm drawn to poetic drama.

This autumn, Kline — who has starred in *Sophie's Choice* and *A Fish Called Wanda* — appears at New York Lincoln Centre in Chekhov's *Ivanov*. As an adviser to the Globe Theatre in London, he is also liaising with Mark Rylance, the artistic director, and hopes to appear on stage there. If he could choose any role, it would be Lear.

His views were echoed by John Hurt, one of Britain's most eminent actors. "It's always been difficult to find good scripts. I've never known a time when there was a plethora of them," he said. Standards had declined in a "literary way" in recent years. "Films have gone in a visual direction rather than a literary direction."

Hurt, who was in Cannes to promote his latest film, *Love and Death on Long Island*, said that it was more difficult to find good scripts in America than in Europe. Asked why agents were not sifting scripts before passing them on to clients, he said that they would not know a decent piece of writing. It was hard enough to find a good agent in America, let alone a good script.

An American film-music composer is planning to set up a foundation in Britain for underfunded schools to buy and repair instruments for pupils. Michael Kamen, whose foundation will donate about £160,000 a year, said: "If we can get instruments in kids' hands, we might keep weapons and drugs out of them. We might be able to introduce them to a world that will change their lives."

Nobody forced me to resign, says Royal Opera chief in swansong

As the wreckers move in to prepare for a £214 million refit at Covent Garden, rumour has it that the chief executive has been bulldozed out. Carol Midgley reports

GENISTA MCINTOSH spoke out for the first time yesterday to silence rumours that her resignation as the £90,000-a-year chief executive of the Royal Opera House had been forced on her after only four months in the job.

Ms McIntosh, 50, insisted there had been no friction between herself and Lord Chadlington, the chairman. She said she had received "support, encouragement and personal kindness" from him.

But, in a letter to *The Times*, she makes no mention of the stress-related illness cited as the reason for her departure in an agreed statement from the Royal Opera House.

She says: "I am extremely dismayed by the speculation which has followed my resignation, and in particular at the entirely unfounded suggestion that there have been disagreements between the board and myself."

She stresses there were no such disputes, nor any conflict with the chairman. "On the contrary, I received enormous support and encouragement from him throughout my time as chief executive, for which I am deeply grateful, as I am for his personal kindness. The decision to leave was mine alone. The statement tells all there is to tell."

Rumours continued at Covent Garden yesterday,

where staff said they had noticed no sign of Ms McIntosh's illness, although some said she had lost weight. Many were planning a "Bring Back Jenny" campaign.

There has been a feeling close to mutiny since a third of the 800 staff were earmarked for redundancy in July, and a continuing union row over pay.

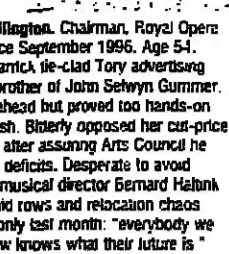
Some staff believe that Ms McIntosh was squeezed out in a dispute over Lord Chadlington's hands-on role, and opposition to her plan to reduce ticket prices. Another theory was that the new Heritage Secretary, Chris Smith, planned to appoint a "Melvyn Bragg-like" figure to guide the House through its difficult months ahead. Mr Bragg backed the idea of a troubleshooter but added: "I haven't heard anything."

At the heart of the dispute lies a long-term battle between traditionalists and modernists for the soul of the Royal Opera House.

While Nicholas Payne and Sir Anthony Dowell, the directors of opera and ballet, fret about how to stage productions during the enforced absence, key players such as Lord Chadlington and Vivien Duffield are determined to keep the finances healthy by attracting key sponsors to popular, high-profile



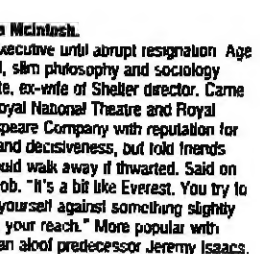
Lord Chadlington, Chairman, Royal Opera House since September 1995. Age 54. Smooth, dark-haired Tory advertising guru and brother of John Selwyn Gummer. RCH figurehead but proved too hands-on for McIntosh. Bitterly opposed her cut-price ticket plan after assuming Arts Council he would end deficits. Desperate to avoid respected musical director Bernard Haitink retiring amid rows and relocation chaos. Predicted only last month: "everybody we employ now knows what their future is"



Mary Allen, New Chief Executive following hard upon McIntosh's departure. Tall, physically imposing former Secretary General of English Arts Council of England. Ex-actress, agent and arts management consultant, very experienced and articulate political player. Was on Arts Council with Lord Chadlington when it gave £75 million to the RCH development scheme. Calm under pressure, experienced administrator and friend of impresario Cameron Mackintosh but no experience of managing a theatre.



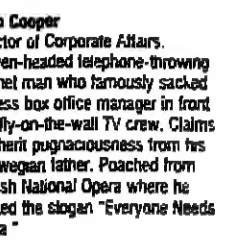
Vivien Duffield, Chairman Royal Opera House Trust. Age 50. Hugely powerful donor, fund-raiser and one of Britain's wealthiest women. French-educated heiress daughter of multi-millionaire businessman Sir Charles Clore. Diminutive but with immense presence and inspires fear among staff. Attracts much-needed funding from wealthy corporate and private donors from her tiny office within the RCH. A traditionalist, said to work closely with Keith Cooper.



Nicholas Payne, Director, Royal Opera. Age 52. Stoic, short clubbable Etonian brought from Opera North by Jeremy Isaacs. Endeavouring to be a bit like Everest. You try to match yourself against something slightly beyond your reach. More popular with staff than about predecessor Jeremy Isaacs.



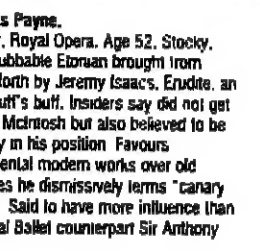
Keith Cooper, Director of Corporate Affairs. Shaven-headed telephone-throwing hatchet man who famously sacked hapless box office manager in front of a fly-on-the-wall TV crew. Claims to exhibit psychopaths from his Glaswegian father. Poached from English National Opera where he created the slogan "Everyone Needs Opera"



Mary Allen, New Chief Executive following hard upon McIntosh's departure. Tall, physically imposing former Secretary General of English Arts Council of England. Ex-actress, agent and arts management consultant, very experienced and articulate political player. Was on Arts Council with Lord Chadlington when it gave £75 million to the RCH development scheme. Calm under pressure, experienced administrator and friend of impresario Cameron Mackintosh but no experience of managing a theatre.



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Stage by stage, the drama unfolds behind the scenes at Covent Garden

SUMMER 1996: after lengthy deliberations, gossip and many false alarms, enter Genista McIntosh, who is named as the new broom to sweep away all the rubble of the chaotic past few years at the Royal Opera House.

A popular executive director of the Royal National Theatre, she will be given the title of chief executive, taking over from Sir Jeremy Isaacs.

Sir Jeremy's reign had become synonymous with controversy, including the broadcast of unforgiving fly-on-the-wall television documentary *The House*, staff protests over job cuts, dark rumblings about money problems and the resignation of the finance director, Clive Timmins, due to ill-health.

Worst of all, 320 redundancies have just been announced, to take effect in July 1997 as the House

closes for 2½ years. The omens for Ms McIntosh are less than good.

In an open letter in BBC Music Magazine, Sir Jeremy pitifully advises her not to take the job: "You know as well as I do Mr Punch's advice to those who marry — don't. But it is too late now — you are committed."

She concedes that she will be drinking from a "poisoned chalice" but insists: "If it doesn't work, I'll walk away."

On January 6, 1997, she takes over. If there are any problems, help is always at hand.

Lord Chadlington, chairman of the Opera House since March, brother of John Selwyn Gummer — and in a previous role, Peter Gummer, the wily public relations guru — has an office just along the corridor where "Jenny" can run for assistance...

JANUARY 1997: Ms McIntosh is thrown in at the deep end. Squabbles break out in the Opera House management over whether to find a permanent base for the Royal Ballet and the Royal Opera to perform during their years of homelessness, or whether they should move around various temporary venues.

It is agreed that they should roam. The Barbican, the Royal Festival Hall and Lahti's Apollo in Hammersmith are among the short-term addresses.

Enter Lord Gowrie, chairman of the Arts Council, which gave £78 million in lottery money towards the redevelopment of the RCH, sparking a row that punters on council estates were paying for the pastimes of the elite. Gowrie describes the accommodation plans as "shambolic". Backstage, unrest is

growing over claims for touring allowances for working in temporary venues. To the chagrin of the audience, some of whom have paid three figures for a ticket, many performances begin late because stage hands are working to rule. Full industrial action threatens to bring down the curtain altogether and ACAS is brought in to arbitrate.

Ms McIntosh comes up with the bright idea that ticket prices should be cut dramatically to end the image of the Royal Opera and Ballet as the Establishment at play. At her old home on the South Bank, such a scheme would be warmly admired. At the old Opera House, the suggestion of increasing the proportion of proletarian posteriors on seats is greeted with horror. It will, she is warned, lead to hideous financial deficits.

SPRING 1997: according to Lord Chadlington's recollection, Ms McIntosh approaches him and says she is feeling unwell. Loyally and kindly, he tries to help her through her problems but, by May 6, it is all too much. With the help of Keith Cooper, director of corporate affairs, Lord Chadlington attempts to persuade her to stay but she insists her health must come first.

At an emergency board meeting that night, Mary Allen, secretary-general of the Arts Council of England, is secretly picked as the new chief executive. On Wednesday, the first public clue that something may be wrong appears in a newspaper interview with Ms McIntosh. Asked whether she enjoys her job, she replies: "It's enormously exciting but sometimes it's hard to keep up." On Sunday May 11, she

attends a recital by Pavarotti at the Royal Albert Hall. She spends much of the following day agreeing a press statement with her chairman announcing that she is leaving the post after four months in the job.

On the Tuesday, Lord Chadlington and Keith Cooper are hosed as they tell the assembled musicians, stage hands and front of house staff that she is leaving. Everybody in the arts world is amazed to hear that she has health problems. Conspiracy theories abound. Some say she was pushed because of friction with her chairman or with Nicholas Payne, the director of the Opera House. Others say she had had enough.

In an attempt to silence the rumour mill, Ms McIntosh composes a letter to *The Times* from her hiding place with friends.

NEWS IN BRIEF

Research finds cell flaw behind lung cancer

American scientists have identified the flaw that allows lung cancer to develop in smokers. The smoke causes damage to cells, but machinery exists to detect this damage and put it right. Only when this enzyme-based repair mechanism is damaged does cancer occur, the researchers from Harvard University report in *Current Biology*. Those who smoke for a lifetime without developing cancer may, therefore, simply be those lucky enough never to lose the repair enzyme in any of their lung cells.

New bat found

A new species of bat has been discovered in disused stables near Antrim by a team from The Queen's University of Belfast. The discovery of the colony of *Nathusius's* pipistrelle, common in the Baltics, brings to 15 the known number of species in Britain.

Aids evidence

A British woman dying of Aids will travel to Cyprus next week to give evidence against the man she accuses of infecting her. Jeanette Pink, 44, a mother of two, will tell a court in Larnaca that Pavlos Georgiou, a fisherman, did not tell her that he carried HIV.

Girl power

The Spice Girls have become the first British group in 15 years to top the American charts with a debut album. More than 2.5 million copies of *Spice* have sold in the United States in the past two months, contributing to worldwide sales of 12 million.

Sea sickness

A yacht taking part in the BT Global Challenge made an emergency stop after a crew member developed acute appendicitis. Andrew Pilkington, 37, a sailor on *Heath Insured II*, fell ill about 170 miles east of St Helena and is now in hospital on the island.

Medical stress

A counselling helpline for doctors received more than 3,300 calls in the first year. More than a third dealt with emotional problems of anxiety, stress and depression. Almost half were at night and the average call lasted 33 minutes.

Forced change

The Society of High Constables in Edinburgh, originally a volunteer police force but now a ceremonial organisation, voted to admit women for the first time in 385 years. Edinburgh council had threatened to sever links if women continued to be excluded.

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Everything's changed – but it's business as usual

New Britain? Pull the other. The Queen in the same old House of Lords went through the same old rituals. In the Commons, two Labour backbenchers attacked the Labour front bench, and attacked each other. What was new? John Major attacked the Labour Party. What was new?

Tony Blair attacked the Government. What was new? Paddy Ashdown called Mr Major "the Prime Minister". "Attacked" both sides as promised to be constructive. What was new?

The John Redwood made another for the leadership of his Party. So what was new? One thing, at least, was new: the MPs. Old men readers of *The Times* will be familiar with the sense of male awkwardness as one enters a hairdressing salon. It feels like an impostor. Sprays and lotions scent the room.

And it was just Ronnie Fearn, 65 (Lliden, Southport). Mr

Fearn is the oldest former MP (and the only retired pantomime dame) now to resume his membership of the House after a spell out of office. Welcome, Ronnie – welcome all – to the longest-running pantomime in town.

Long before Her Majesty reached the Lords, MPs were assembled in the Commons. Ted Heath and Dennis Skinner have swapped sides, each now resuming a commanding position at the front, from which to sulk. Tory MPs shook hands, looking about with the dazed, anxious expressions of a battalion just emerged from a trench after a sustained bout of heavy shelling, anxious to discover which of their mates had also survived. Old friends, cut-throat, were reunited with relief.

Virginia Bottomley, elegant in pink and black, beamed graciously around as though nothing had happened. Marion Roe (C, Broxbourne), the sole Tory woman to wear a hat, looked across in surprise at an elegant Labour MP whom we cannot



Matthew Parris looks down on the new House of Commons and witnesses a scene of ritual attack and counter-attack that seems strangely familiar

name, because her Ascot-style red straw hat obscured her face. Only two hats in the House, and one of them Labour Sign of the times.

The Labour benches were filled with unfamiliar faces. So were the doors and gangways. So were the overhead benches upstairs. Labour MPs seemed to be standing everywhere. Some looked too young to be away from home. One young man sucked tentatively at his thumb, then (remembering Mum's advice) pulled it away. Someone told him to take off his identity pass. Embarrassed, slipped it into his pocket and looked around to see if anyone had noticed. The thumb kept creeping back towards his mouth.

The new Labour women all seem to dress the same. The style resembles that adopted by cheerful young charter airlines for their in-flight hostesses: standard-issue suits, slightly overcut, in Early Learning Centre colours. Nobody wears dresses any more.

Ann Begg (Lab, Aberdeen S) howled merrily through the doors in her wheelchair and solved the problem of where to park at the far end of the Chamber, tangled up with the legs of a couple of men. David Blunkett, the Education Secretary, arrived with guide-dog Lucy, a curly-haired black retriever who refused to settle on the Government side, and kept straining for her old patch below

the Opposition Dispatch box. The identical Eagle twins, Angela and Maria (Wallasey, and Liverpool, Garston) sat together, dressed mischievously in tomato-coloured suits. Identical except that one was just a touch riper than the other. Elsewhere on the Labour benches I spotted a pregnant MP, standing. Nobody offered her a seat. Where were those community values, eh?

An air of expectancy of another sort fell upon the assembly as Black Rod approached. If he hammered on the door, we did not hear it. Marching up, he declared "The Queen commands that Honourable Members..."

"Requests" came the correction an unidentified republican voice on the Labour side.

"...commands that Honourable Members..." continued Black Rod.

"Requests" insisted the republican. "...to attend Her Majesty in

the House of Peers."

"They ought ter borrow a few seats," growled Skinner.

After lunch, the Debate on the Queen's speech commenced. Peter Mandelson crouching on the step at the Speaker's feet like some hired hit-man awaiting instructions. He grinned wickedly when Gerald Kaufman (Lab, Manchester, Gorton), moving the motion as by custom a senior Government backbencher should, declared himself "a total sycophant" to Tony Blair.

"In Mr Mandelson's opinion," added the mordant Kaufman, "total sycophancy must be regarded as a suspiciously lukewarm form of support."

Kaufman was a brilliant speech. He gently mocked his own leader, less mocked the "old" Labour manifesto of 1983, and brought laughter to both sides when he referred to "those increasingly far-off days when Finchley was a Conservative constituency."

It was safe to laugh at this last

joke. But we noted the doubtful expression on many new Labour faces at Kaufman's jokes about his own side. Were they allowed to laugh? Would Mr Mandelson punish them?

A Right-winger, Kaufman was followed by Left-winger Chris Mullin (Lab, Sunderland S). His mention of socialism ("the word didn't do me any harm") and his witty, biting attacks on *The Sun* provoked the same unsure looks on young colleagues' faces.

John Major seemed unchanged. He spoke with poise and good humour. But when he began the attack on the new Government's policies, we saw the wisdom of his decision not to delay his departure. The speech was cogent, but MPs' attention wandered.

In reply, Tony Blair kept forgetting he was Prime Minister. He attacked the Government's record on Health, Education and Employment. For just a little longer, perhaps, he can do this. "Enjoy it," one thought, "while you may."

Peers will bow to historic rights of victorious party

By JAMES LANDALE, POLITICAL REPORTER

LABOUR'S chances of getting its handgrip and devotion through the House of Lords improved dramatically yesterday after Tory chiefs signalled they would not oppose the moves in the second chamber.

Many peers are deeply opposed to the plans, set out in the Queen's speech, and had said that they would try to block them in the Lords.

However, Lord Cranborne, the Tory leader in the House of Lords, said that the Opposition benches would adhere to parliamentary convention at the second chamber do not overturn Bills pledged in a victorious Government manifesto.

The so-called Salisbury Addendum Convention was set out by Lord Cranborne's grandfather, the 5th Marquess of Salisbury, in the wake of Labour's 1945 election victory. The convention states that the Lords should not reject at Second Reading any government legislation which has been passed by the Commons and which carries a manifesto commitment, though peers can still amend Bills, they should not vote or oppose the principle of the measure.

While Labour's commitment to scrapping a voting and sitting rights hereditary peers, the reform was not

included in the Queen's Speech. Many Tories fear that Labour will use any opposition to their measures in the Lords during this Parliament as further justification for reforming the second chamber next year.

Lord Cranborne, speaking on BBC Radio, said: "I have always made it perfectly clear that the Salisbury Addendum convention, established as a private agreement between two parties in 1945, would apply. That is my view. If something has been set out in a victorious party's manifesto our frontbench advice from the Opposition in the House of Lords would be that we should not oppose the principle of that legislation."

Asked if the Salisbury Addendum convention would continue, Lord Cranborne said: "It will certainly continue to be the case. But as you know there is not an inbuilt Tory majority in the House of Lords. It may sometimes look like that, but if you talk to my Chief Whip, Lord Strathclyde, when he was Government Chief Whip, I don't think he felt it necessary so when we were in Government."

Labour's decision not to include its House of Lords reforms in the Queen's Speech reflects a reluctance among senior party strategists to

get the new administration bogged down in too many constitutional disputes. Although they are committed to the move, they feel that voters are more concerned that Labour acts to improve health and education before changing more arcane parliamentary rules which seem unconnected with those things about which people are really concerned.

Lord Cranborne criticised Labour's constitutional reforms and insisted that the Lords had a constitutional duty to scrutinise legislation. "We have an obligation to exercise our judgment," he said. "We will take every Bill on its merits and we will react accordingly."

He said some Labour figures were hinting that the party's reforms to the Lords would be delayed if hereditary peers "behaved themselves".

"There will be some siren voices suggesting that what I come to think of as the 'Sword of Damocles' option will be one that they will play. In other words, that if the House of Lords behaves itself, that they might dangle the opportunity of us not being reformed as they propose."

Lord Cranborne's ruling means that Tory loyalists are unlikely to try to wreck Labour's Bills. However, party whipping in the Lords is



Peer group pressure: lords awaiting the arrival of Her Majesty peruse a *Times* article about the fashion sense of Labour's women MPs

weaker than in the Commons and some Tory peers and crossbenchers feel so strongly that they are likely to ignore his advice.

Earlier, Peter Mandelson, Minister without Portfolio, said that Labour remained committed to reform of the Lords, probably in 18 months'

time, despite its absence from the Queen's Speech. "We do have some controversial legislation going through the Lords and we hope those lords – all of them, the hereditary ones, too – will respect the mandate we have received from the people and will not frustrate the measures that we are

going to introduce," he said on BBC television.

"I have every confidence that they are going to respect the public's mandate and I am sure they will. If not, I think there will be a head of steam growing very quickly for changes to be introduced." Lord Cranborne said that

Mr Mandelson was the "fat boy... making everybody's flesh creep because he needs an enemy to unite his party behind and against". Many pro-shooting peers are opposed to Labour's plan for a ban on handguns. Tony Blair this week told the parents of the Dunblane

victims that he would use the Parliament Act to force the measure through if peers block it. Under the Act, a Bill defeated in the Lords can be reintroduced after 12 months, with peers powerless to intervene a second time.

Handgun ban, page 11

Referendums in Scotland and Wales planned for autumn

By JILL SHERMAN AND GILLIAN BOWDITCH

LEGISLATION to pave the way for the most radical constitutional reforms in Scotland and Wales for 300 years is to be rushed through the Commons in the next few weeks and could be voting in September on whether they want devolution.

A bill to allow referendums on a Scottish Parliament and a Welsh assembly will be introduced in the Commons today with the Second Reading planned for Wednesday and Thursday. David Dewar, the Scottish Secretary, hopes that the Bill will complete all its stages in both the Commons and the Lords by the end of July, to allow referendums to take place in September. In Scotland voters will be

asked two questions: whether they want a parliament set up in Edinburgh; and whether they want it to have tax-varying powers.

If the referendum is carried – by a simple majority – a second Bill will be introduced in the autumn to set up a separate parliament in Edinburgh with powers to vary tax up or down by 3p. The Government has pledged that a Labour-led Scottish Parliament would not invoke these powers in a first term.

A White Paper giving details of the proposed parliament and assembly is expected to be published in the summer recess.

Yesterday Mr Dewar said he hoped the House of Lords

would not block the devolution Bill although he was aware that the House had been "rattling its sabres". He said: "They will be very unwise to hold that up unnecessarily."

The White Paper is expected to follow closely the recommendations of the Scottish constitutional convention, a mainly Labour and Liberal Democrat body. The convention recommended that the unicameral Scottish parliament would have 129 members: 73 constituency members elected on a first-past-the-post system; and 56 on a party list system – seven candidates would be chosen from each of the European Parliament constituencies. The Scottish parliament would be headed by a chief minister and would sit for a four-year term.

The referendum Bill is expected to get through the Commons relatively easily. The Liberal Democrats support the creation of a parliament in Edinburgh and an assembly in Cardiff and will campaign for "yes" votes.

But the Liberal Democrats disclosed yesterday that they would oppose the asking of the second question in the referendum on tax-varying powers. Jim Wallace, the leader of the Scottish Liberal Democrats, said: "If, as Tony Blair said, an English parish council can have tax-raising powers, why is he opening up the possibility for the Scottish parliament not to have these powers?"

The Conservative Party fought Labour's plans during the general election, but failed to secure a single seat in Wales or Scotland for their plans.



Dewar: warned Lords not to block Bill

Tory MPs are expected to vote against the devolution Bill, but the party in Scotland is now deeply divided on the issue with many members wanting to join the pro-devolutionists. The chairman of the Scottish Tories, Annabel Goldie, has called for a moratorium on the issue until the Scottish Conservative Party Conference in next month.

Capital could have mayor for the new millennium

By ALEXANDRA FREAN LOCAL GOVERNMENT CORRESPONDENT

LONDONERS will get their own elected mayor, giving the capital city a single strategic authority for the first time since the Greater London Council was abolished in 1966.

The Government plans a referendum in May next year on plans to coincide with local government elections in London. Detailed proposals will be published after consultations over the summer.

If, as expected, the London Referendum Bill is passed and Labour's plans are endorsed further legislation would be introduced in the summer of 1998 to establish an authority and a mayor. Elections would take place in May 2000. The measures will put

LONDON

London on the same international footing as other major capitals of the world, such as New York, Paris and Barcelona.

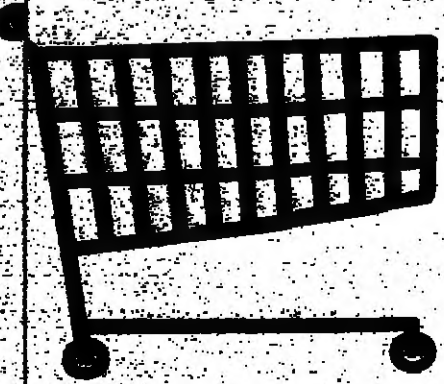
The Government has made its plans a high priority with John Prescott, the Deputy Prime Minister, given overall responsibility. Nick Raynsford, Minister for London, and Glenda Jackson, Minister for London Transport, will work closely with him.

The new strategic authority will not duplicate the work of the boroughs, but will take overall responsibility for issues with a London-wide dimension, including economic regeneration, planning, policing, transport and environmental protection.

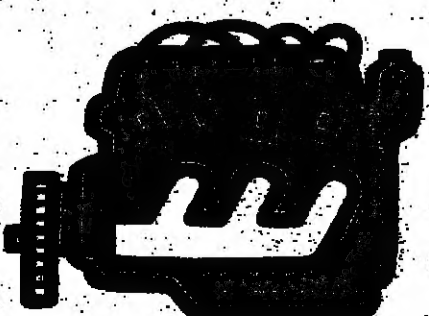
The creation of a new metropolitan authority for London has consistently been supported by up to 80 per cent of the public in opinion polls over the last decade.

Councillor Toby Harris, chair of the Association of London Government, which represents London boroughs, said consultation with existing bodies responsible for the city was essential. A spokesman for the Corporation of London echoed the view.

But Tony Travers, a local government expert at the London School of Economics, said: "I should think that other cities in the UK will want an elected mayor too. I can't believe that Birmingham, Leeds, Glasgow or Manchester would allow London to have an elected mayor without having one themselves."



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Priority given to Blunkett's plans to raise standards

By JOHN O'LEARY
EDUCATION EDITOR

EDUCATION

MEASURES to raise standards in schools, colleges and universities have top priority in the Blair Government's first legislative programme.

A wide-ranging Bill, to be revealed by a White Paper next month, will include new powers for failing schools to be taken over, and faster procedures for incompetent teachers to be sacked. All schools will be required to set improvement targets.

Among the most delicate tasks facing David Blunkett, the Education and Employment Secretary, will be to bolster grant-maintained schools and find a new role for education authorities. The Queen's Speech promised a new framework for decentralised and equitable organisation for schools.

Labour has outlined a new structure for state schools, with three different categories. Local authority schools would come under community schools; those associated with church or charitable bodies would be known as aided schools; and grant-maintained schools would be offered the halfway house of "foundation" status. Local authorities would oversee admissions policies for all three types, as well as providing central services.

In an interview with *The Times*, Mr Blunkett promised

to "look sympathetically" at grant-maintained schools' budget problems and to search for consensus on the arrangements. "We have made clear that we will want to have detailed discussions and proceed in a way that does not threaten the delivery of the education service in those schools."

Ministers are aiming to produce a White Paper to test opinion on their education proposals before the end of the school year. There will be regional seminars on the proposals and expert witnesses will brief MPs when the Bill goes into committee.

The Bill will contain an enabling clause to allow the Government to reform the student loan system and introduce other changes prompted by Sir Ron Dearing's report in July on higher education. Labour said in opposition that students would be expected to bear more of the costs of their courses, although the party has opposed private tuition fees.

A substantial section of the Bill will be devoted to changes in the teaching profession, including the establishment of a General Teaching Council to regulate the profession and oversee the introduction of a compulsory qualification for head teachers.

School governors and local

authorities would be left to tackle the problem of incompetent teachers. Mr Blunkett said that existing dismissal procedures, which can take up to two years, must be accelerated in the interests of pupils, although teachers would retain the same employment protection as other employees.

The Bill will also see the Government's first moves to promote life-long learning. Labour has promised individual "learning accounts" to encourage adults to continue their education.

Teachers' leaders welcomed the high priority given to education, but were more cautious about some of the likely initiatives. David Hart, general secretary of the National Association of Head Teachers, said that the only glaring omission was a commitment to provide the resources needed to achieve higher standards.

Local authorities said they would not fear the introduction of improvement targets, which were already in common use. The Local Government Association said it would be seeking powers to intervene more quickly where schools were failing, rather than relying on "blaming and shaming" them.

Mr Blunkett had pressed for an emergency Bill to prevent independent schools offering assisted places for 1998. In the next few weeks, a Bill will be



First in line: schoolboys waiting outside Buckingham Palace yesterday morning to watch the Queen's carriage leave for Parliament

introduced to phase out the £160 million assisted-places scheme and create a framework to transfer the savings to state primary schools to reduce class sizes for five, six and seven-year-olds.

Existing assisted places will be protected, including those to be taken up this September,

but preparatory school pupils are expected to lose state support when they transfer to senior schools. The scheme operates on three-year contracts, which will be revoked when the measures are enacted. Independent-school associations are waiting to see the proposals in detail before

deciding whether to undertake a legal challenge.

Jackie Lang, the headmistress of Walthamstow Hall School, in Kent, and vice-chairman of the independent schools' committee on assisted places, said: "We don't want to get off on the wrong foot with Labour because we have been

heartened by the talk of building bridges between the sectors. But clearly we want to make sure that any Bill is correct."

The abolition of assisted places is one of Labour's longest-standing education policies, and schools with a high proportion of assisted

places have long been planning to bridge the funding gap.

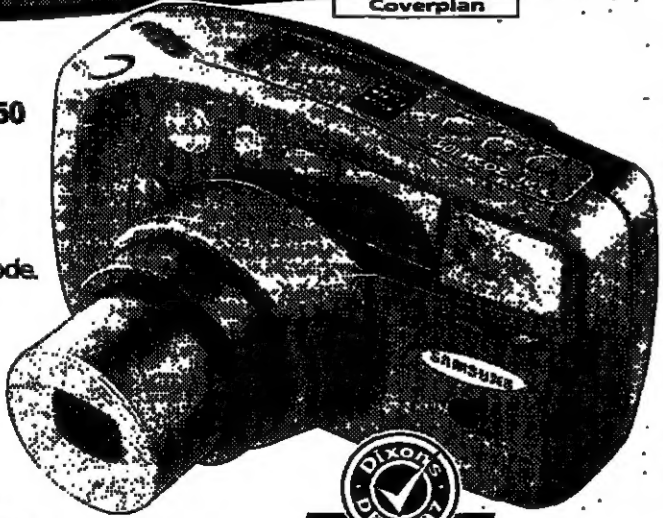
Experts are divided over whether the savings will be enough to fulfil the Government's pledge to reduce class sizes to a maximum of 30 in the first three years of primary school within five years.

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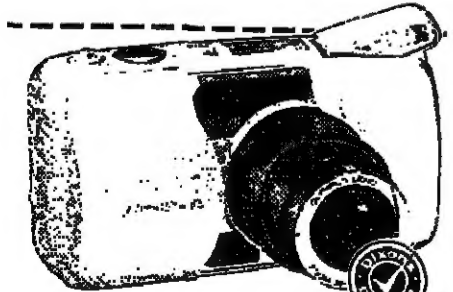
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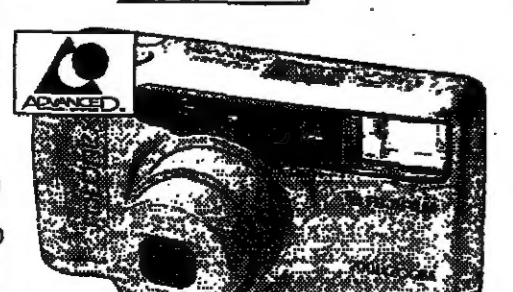
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Bigger and Better than Ever!

'For the benefit of the whole nation'

This is an edited text of the Queen's Speech to Parliament yesterday.

My Government intends to govern for the benefit of the whole nation.

The education of young people will be my Government's first priority. They will work to raise standards in schools, colleges and universities and to promote life-long learning at the workplace. They will cut class sizes, using money saved as a result of phasing out the assisted places scheme.

A further Bill will contain measures to raise educational standards, develop a new role for local education authorities and parents, establish a new framework for the decentralised and equitable organisation of schools, propose reforms to the teaching profession, and respond positively to recommendations from the National Committee of Inquiry into the future of higher education.

The central economic objectives of my Government are high and stable levels of economic growth and employment, to be achieved by ensuring opportunity for all. The essential platform for achieving these objectives is economic stability.

To that end a Bill will be introduced to give the Bank of England operational responsibility for setting interest rates, in order to deliver price stability and support the Government's overall economic policy, within a framework of enhanced accountability.

My Government will also ensure that public borrowing is controlled through tough fiscal rules and that the burden of public debt is kept at a stable and prudent level.

They will aim to deliver high and sustainable levels of growth and employment by encouraging investment in industry, skills, infrastructure and new technologies by reducing long-term unemployment, especially among young people; by promoting competition; and

by helping to create successful and profitable business.

My Government has pledged to mount a fundamental attack upon youth and long-term unemployment and will take early steps to implement a welfare-to-work programme to tackle unemployment, financed by a levy on the excess profits of the privatised utilities, which will be brought forward in an early Budget.

A new partnership with business will be at the heart of my Government's plans to build a modern and dynamic economy to improve the competitiveness of British industry. They will bring forward legislation to reform and strengthen competition law and introduce a statutory right to interest on

late payment of debts.

My Government is committed to fairness at work and will introduce a national minimum wage.

Legislation will be brought forward to amend criminal law and to combat crime, including reform of the youth justice system and measures against anti-social behaviour. A Bill will be introduced to prohibit the private possession of handguns.

My Government will improve the National Health Service, as a service providing care on the basis of need to the whole population. They will bring forward new arrangements for decentralisation and co-operation within the service and for ending the internal market.

A Bill will be introduced to incorporate into United Kingdom law the main provisions of the European Convention on Human Rights.

Legislation will be introduced to allow the people of Scotland and Wales to vote in referendums on my Government's proposals for a devolved Scottish Parliament and the establishment of a Welsh Assembly. Legislation will be intro-

duced to provide a referendum on a directly elected strategic authority and a directly elected mayor for London. A Bill will be brought forward to establish regional development agencies in England outside London.

In Northern Ireland, my Government will seek to promote reconciliation and a political settlement which has broad support, working in co-operation with the Irish Government.

In the European Union, my Government will take a leading role. It will seek to promote employment, improve competitiveness, complete the single market and opt into the Social Chapter. They will seek further reform of the Common Agricultural Policy to secure lower food prices for consumers and give money support to the rural economy and enhance the environment.

They will set changes to the Common Fisheries Policy to conserve stocks in the long-term interest of the UK fishing industry. They will play a full part in the debate about economic and monetary union.

My Government has established a Department for International Development. They will publish a White Paper setting out how, through more honest policies, they will end global poverty and promote sustainable development. They will rejoin the United Nations Education, Scientific and Cultural Organisation.

My Government will seek to restore confidence in the integrity of the nation's political system by holding the highest standards of honesty and propriety public life. They will consider how the funding of political parties should be related and reformed.

Other measures will be laid before you.

My Lords as Members of the House of Commons, I pray that the blessing of Almighty God may rest upon your counsils.

Sport sponsorship in danger

By IAN MURRAY
MEDICAL CORRESPONDENT

SPORTS sponsorship is likely to be restricted or banned by the Government as part of draft legislation to be introduced this summer ending advertising by tobacco companies.

This will be a key element in a drive to reduce smoking, a habit which kills an estimated 100,000 people a year in Britain and three million worldwide. Tobacco companies spend £8 million on sponsorship and an estimated £90 million on advertising annually in Britain.

Tessa Jowell, Minister for Public Health, said: "We will

need to look carefully at how to remove tobacco advertising from sporting events without creating any risk to those events in the UK."

She said a range of measures was needed to reduce smoking, especially the rate at which young people were taking up the habit, which was the greatest single preventable cause of death and disease.

The Government is to organise a seminar of British and international experts to formulate a policy for a White Paper by the summer.

Director General of the Cancer Research Campaign, said advertising to young people to start smoking. "Six to 8 per cent of the smoking population start because of it," he said, "and more girls are starting to smoke as a slimming tool. There is an exponential growth in the number of women dying of cancer."

Clive Tynes, spokesman for the Tobacco Manufacturers' Association, said the industry was "ready, more than anywhere else, to be persuaded people smoke," he said. "All it does is persuade smokers to change brands."

First Bill of Rights since 1688 will give courts new powers

By FRANCES GIBBS, LEGAL CORRESPONDENT

BRITONS will be able to apply directly to the courts to enforce their human rights rather than seek redress in the House of Lords under the Human Rights Act 1998.

The Bill will strengthen the powers of the courts by incorporating the European Convention on Human Rights into domestic law, enabling them to hear human rights cases. Strongly backed by the senior judges, the Bill would give the courts power to test British law against the European Convention on Human Rights and ensure that it complies with the convention.

In effect, the Bill extends the courts' jurisdiction to cover any decisions by government bodies alleged to infringe the guaranteed rights in the convention, such as the right to a fair trial, to family life, privacy or freedom of expression. For individuals, the Bill would mean that they can take allegations of abuse of human rights to the courts in this country, instead of having to bring the case to the European Court of Human Rights in Strasbourg.

The United Kingdom has one of the worst records for adverse rulings by the European Court of Human Rights and the new Bill could mean that perhaps 50 per cent of those cases will be decided in Britain rather than Strasbourg.

Jack Straw, Home Secretary, said yesterday: "Just incorporation of the convention into the law of the land would be a huge advance for human rights. It would be the first time that legislation over all of Britain has been brought before parliament since 1688." The key question facing legislation is when the judiciary would have power to strike down Acts of Parliament, or whether parliament would preserve sovereignty. That depends on which model is adopted. The one most likely to be chosen is the New Zealand Bill of Rights Act 1990.

That Bill is not conservative.

five than that used in Canada — originally favoured by Labour — and more likely to win support from those who fear that such a Bill would give judges too much power. The architect of the model is Lord Lester of Herne Hill, QC, who has campaigned for the incorporation of the European Convention on Human Rights for nearly 30 years.

Two years ago he promoted a Private Member's Bill, along more radical lines, which failed. His original Bill would have empowered courts to strike down Acts of Parliament that conflicted with the European Convention.

He has drawn up a revised version which he argues would be more certain of wide support in the Commons "in the current climate of concern about threats to parliamentary sovereignty". It would also win the judges' backing. Senior judges do not "have enthusiasm for new powers that would put them so directly at odds with the elected branch of parliamentary government".

Yesterday, Lord Lester said: "I have been campaigning for this reform for 29 years and I rejoice that this is now to happen. It is marvellous news for the people of this country."

Appeal rights for deportees

Immigrants facing deportation on the ground of national security will have the right of appeal to a new body, under a Bill bringing Britain into line with other European countries. The move follows an appeal to the European Court of Human Rights by Karamjit Singh Chahal over a decision to deport him to India. The European court ruled that his rights had been violated by the absence of a judicial involvement in testing "national security".

that a government returned with a landslide majority sets about limiting its powers as one of its first acts.

The leading human rights groups, Justice and Liberty, said they would favour a stronger version of the Bill. Anne Owers, director of Justice, said: "This Bill seems to put the courts in a double bind. They have to interpret the law as being compatible with the convention but they can't strike it down if it isn't."

Such a Bill would make very little difference to the way courts interpreted the law, she added, although she welcomed the fact that judges would be able directly to use the convention in developing the common law.

The chief elements of the Bill, which will cover government and public bodies but not private disputes, are expected to be:

□ Courts required to construe the meaning of statutes and the common law as being consistent with European Convention rights.

□ Where the law seems to be in direct conflict with the convention, cases will go to Strasbourg to be decided.

□ Ministers, civil servants and other public authorities to discharge the powers delegated to them by Parliament in a way consistent with the human rights convention.

□ If a minister introduces a Bill that appears to be inconsistent with convention rights, he or she would have to notify the Lord Chancellor and Speaker and explain why.

The Government is also proposing the creation of a Human Rights Commission with powers to advise and help law centres and specialist groups to bring test cases.

Ministers also plan to put into law a 1995 European directive requiring stronger data protection rules to be in place by October next year. The Data Protection Bill would bring in controls over manually held records. At present, such controls and rights of access apply only to files held on computer.

Anthony Lester, page 20



Carol Page, the British women's .22 pistol champion. A total handgun ban would end her hopes of attending a third Olympic Games

Pistols will be illegal by end of the year

By RICHARD FORD, HOME CORRESPONDENT

HANDGUNS

PRIVATELY owned handguns will be outlawed by the end of the year after a government decision to extend the partial ban introduced after the Dunblane massacre.

The Commons will be given a free vote, but the size of Labour's majority means that a ban is now a foregone conclusion. The move would mean the end of pistol shooting as a sport.

The Prime Minister, who met Dunblane parents at Downing Street on Tuesday, is confident that the measure will pass comfortably. However, the Government expects strong opposition from some Conservative MPs and peers.

Jack Straw, the Home Secretary, promised that a Firearms (Amendment No 2) Bill would be the Home Office's first priority and would be introduced "this side of summer".

It would propose a ban on all handguns of .22 calibre and below, which were excluded from the Conservative Government's Firearms Act. It is estimated that 40,000 small handguns would have to be destroyed as a result of the Labour Bill, in addition to

the 160,000 already scheduled for destruction. Campaigners against tighter gun laws pledged last night to renew their fight against a total ban, but they accept that they have virtually no chance of success. Graham Downing, spokesman for the British Shooting Sports Council, said: "Our view is that the legislation on the statute book is damaging enough. The measure being proposed will wipe out completely the sport of pistol shooting. It is disproportionate and unfair."

Carol Page, 48, a double Commonwealth bronze medalist at .22 pistol shooting, said that a ban would end her hopes of competing in her third Olympic Games. "I am stunned. I have done nothing to warrant this. It has taken me two decades to get to Olympic standard. Even if I emigrate to a country where we would be able to use and hold pistols, there is hardly likely to be funding from the Sports Council to support a Great Britain pistol team."

Eileen Harrild, the Dunblane PE teacher who was the first to be shot in last March's massacre, said that a ban would be a lasting tribute to the 16 dead children and their teacher. "The rights of society to be safe must override the right to shoot."

Government land ban poses threat to 60 fox hunts

HUNTING

MINISTERS have begun moves to end hunting with hounds on land owned by the Forestry Commission and the Ministry of Defence.

The ban emerged yesterday (Michael Hornsby writes). Unlike a general ban on hunting, this more limited move, which would severely disrupt nearly 60 fox hunts and force some to

close, would not require Parliamentary legislation.

There was no mention of hunting in the Queen's Speech, but the Government undertook in its election manifesto to hold a "free vote" on whether all hunting with dogs

should be banned. This could be done through a Private Member's Bill.

The Forestry Commission confirmed yesterday that it had met Elliot Morley, the Minister for Fisheries and the Countryside, to discuss a ban and had been asked to submit a report on the implications for control of fox numbers.

Janet George, of the British Field Sports Society, said: "There would be grave consequences for about 36 hunts if they were denied access to Forestry Commission land. Many would have to reduce the number of days they hunted and some would have to close. If Ministry of Defence land is lost as well, another 22

packs would be badly affected."

Josh Stratton, who runs a 3,500-acre farm on Salisbury Plain, said: "Like many other farmers round here, I allow the Army to use my land for lightweight exercises. This is done out of sheer goodwill and that goodwill would evaporate if hunting were stopped."

Cash will be distributed more fairly

THE National Lottery will be operated on a non-profit-making basis when it commences with Camelot end of 2001 (Polly Newton writes).

Camelot made £7 million in pre-tax profits in its first year of business. Lottery money will be used to fund after-school clubs where children can take part in extra-curricular activities and do homework.

Funds will be channelled into training in computer skills for teachers and the creation of "health living" centres. Lottery profits will continue to pay for arts, sports, heritage and charity projects. Schemes mark the millennium will give Lottery money as part of the National Lottery Bill.

The National Lottery Bill will create a trust for the National Endowment for Science and the Arts help to put into practice innovative business ideas. The Government will also review the way lottery funds are distributed, to ensure that regions receive a proportionate share.

Shackles to be removed from councils' capital funds

By ALEXANDRA FREAN, LOCAL GOVERNMENT CORRESPONDENT

THE first big wave of public sector housing to be built or renovated for nearly two decades will follow the Government's decision to release £5 billion of local council capital for new homes.

Hilary Armstrong, the Minister of State for Housing and Local Government, said the move was designed to alleviate homelessness and provide new jobs.

The measure will require the redistribution of capital receipts from the sale of council houses in affluent areas, such as the London Borough of Bromley, to inner-city areas such as Birmingham and Newcastle, which have the greatest need for social housing.

Ms Armstrong hoped that local authorities would come forward with imaginative schemes for spending the money, either acting alone or in partnership with private companies or housing associations. "We will not be prescriptive... but it's the partnership route, giving a mix of housing types, that at

the end of the day brings the best results," she said.

Although some of the money from the capital receipts might be released before next year, Ms Armstrong does not expect to see massive sums invested in social housing for at least a year. Many local authorities are simply not used to spending such large amounts on housing.

John Perry, head of policy at the Chartered Institute of Housing, said that a pooling of the funds available through the capital receipts would be necessary to ensure an equitable distribution.

"What will probably happen is that the affluent authorities, such as Bromley, which has around £200 million in capital receipts, will be able to spend about 25 per cent of the money. The remaining 75 per cent will remain frozen in their accounts. The spending power of that money will be pooled nationally and redistributed,

through credit approvals, to the authorities that need it most," he said.

James Rebeck, a spokesman for the Royal Institution of Chartered Surveyors, estimated that the measure should release between £600 million and £800 million a year for the next five years.

"We think that will create 13,000 new jobs a year for the construction industry for each of the next five years," he said.

The supply of housing provided by the new money will not meet the predicted demand, however. It has been estimated that a further 4.4 million dwellings will be needed by 2016 to cope with the increase in single-person households. The social housing stock is thought to have a backlog of disrepair amounting to £20 billion.

A sum of £5 billion would buy 70,000 new council houses or flats, or 140,000 new housing association homes. Alternatively, it could cover the cost of renovating and upgrading 280,000 existing properties.



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Use your majority with care, warns Major

By JAMES LANDALE AND POLLY NEWTON

JOHN MAJOR urged Tony Blair yesterday to use his huge Commons majority carefully, and promised the Tories would provide a "vigorous opposition".

Opening the Commons debate on the Queen's Speech, the Leader of the Opposition told Mr Blair that the Government's programme contained a "very great deal" that the Conservatives could support. But he expressed concern that Mr Blair had given the Bank of England independence over interest rates and had reformed Prime Minister's Questions without consulting MPs. Mr Major said that

both by the best means available, irrespective of dogma or doctrine and without fear or favour.

He said that Tory scares about Labour no longer worked. "People know them to be false. They rejected them in the last election. If Tory MPs have learnt no lessons from the last election defeat, they had better prepare themselves for the next one."

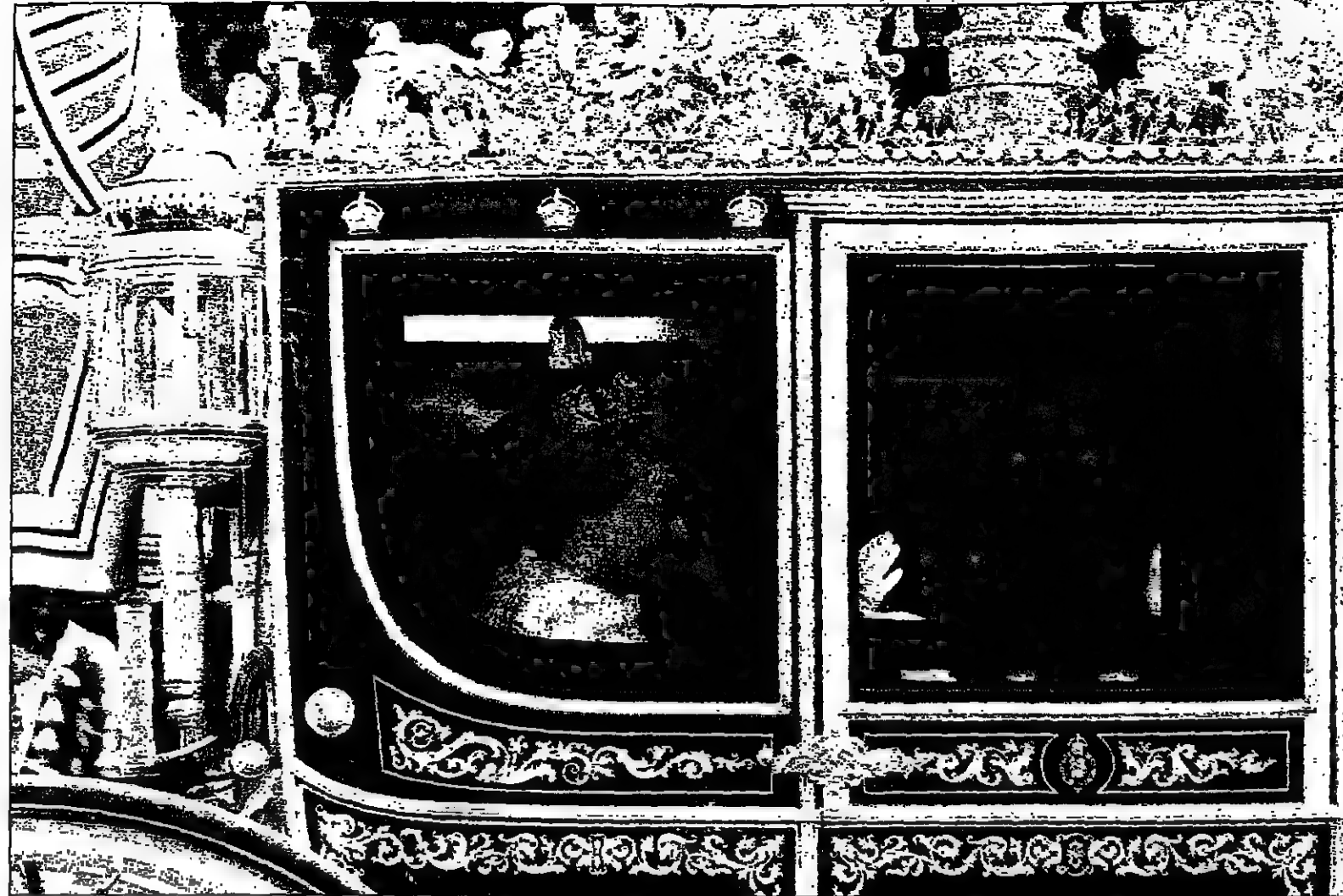
The two reasons for Labour's historic win were, he said, the Conservative Party and the Labour Party. "The Conservative Party lost touch with the instincts and aspirations of the British people. They broke their election promises. They were more interested in fighting amongst themselves than fighting for the interests of the country."

Mr Blair defended his decision to allow the Bank of England to set interest rates. "The Government shouldn't be able to play politics with people's mortgages," he said.

The Queen's Speech was "the ambitious but practical programme of a new Labour Government which has its feet on the ground, sound values in its heart, the necessary mixture of idealism and realism which the modern age demands".

Paddy Ashdown said that the Liberal Democrats would be "critical but firm supporters" of the Labour Government. He hoped for reform of the constitution, society and the culture of politics, as well as of Britain's education and welfare systems and its relations with Europe, and of the Government's approach to the environment and the way the economy was run. He said that many of the measures in the Queen's Speech had first been proposed by his party.

There were some issues,



The Queen arriving at the Palace of Westminster yesterday to outline the first programme set out by a Labour government since the 1970s

THE DEBATE

Labour had handed "a very important political power to unelected officials" and damaged the Chancellor's choices in managing the economy. The Bank's control of interest rates would ensure that "unemployment will grow and growth will be held back".

He criticised Mr Blair's plans for devolution as "profoundly dangerous" and challenged him to say whether he would follow convention and allow them to be discussed on the floor of the Commons rather than "smuggled upstairs to a committee packed with devolution enthusiasts".

Mr Blair said that Labour was now the "one-nation party" of British politics. "We speak for the whole nation and we will serve the whole nation." The Queen's Speech represented the "alliance of progress and justice too long absent from British politics under Conservative government." He added: "Our mandate is clear — to modernise what is outdated and to make fair what is unjust, and to do

such as the environment, "which ought to be in this programme, but which are ignored," the Liberal Democrat leader said. On others, such as education, "the intentions are good, but meaningless, unless they are matched by the resources to make them a reality".

In the traditionally light-hearted welcome given by a

senior government backbencher to the Queen's Speech, Gerald Kaufman, Labour MP for Manchester Gorton, said its measures would be welcomed by his constituents. But he acknowledged that some voters thought that all politicians were the same and were hard to please.

One whom he had visited in

the run-up to polling day in February 1974 accused him of appearing on her doorstep only when an election loomed. When he returned during the election campaign of October that year, she complained: "Oh, you... you're always round here!"

Wondering why he had been selected to propose the motion thanking the Queen

for the Speech, Mr Kaufman recalled that on a recent radio programme he had admitted to being a "total sycophant" of the Prime Minister. "However, I do realise that under the iron heel of the Minister without Portfolio [Peter Mandelson], total sycophancy must be regarded as a suspiciously lukewarm form."

Seconding Mr Kaufman,

Chris Mullin, Labour MP for Sunderland South, offered some advice to the Conservative Party in its quest for re-election. "Go back to one-nation politics. In the long term, it will be better for us all, and better for the country as a whole."

Peter Riddell, page 20
Leading article, page 21

ULSTER MARCHES

Ministers will introduce legislation to implement in full the 'Nort' report, which recommended that an independent commission adjudicate contentious parades. The Government will also update the 'Nort' Provisions Act. Northern Ireland will expire next year. Under the proposed new legislation, which would come into force in 2001, the commission would allow a march to pass along its traditional route. The Chief Constable of the RUC would have the right to refer the decision of the commission to the Northern Ireland Secretary.

YOUNG OFFENDERS

Children as young as ten are to carry out work in the community as punishment for crimes. Fewer will be introduced to children under ten just by the courts to be at risk by being left to roam the streets unsupervised at night. Jack Straw, the Home Secretary, is also aiming to be the time from arrest to sentencing of young offenders. The main proposals of the Crime and Justice Bill include repealing repeat police cautioning with a single final warning, and scrapping the assumption that children aged 10-14 are incapable of telling the truth from a lie.

FREEDOM OF INFORMATION

Cabinet pay papers could be open to the public under plans for a Freedom of Information Act. David Clark, the Chancellor of the Duchy of Lancaster, is to review the commercial confidentiality rule for the non-disclosure of information. The Bill will include a right of access to government documents subject to disclosure being subject to judicial review. A mechanism to review complaints against non-disclosure and the spirit of a new information commissioner, and public interest over-riding which would take precedence over legislation barring disclosure.

State could finance parties

By ARTHUR LEATHLEY AND VALERIE ELLIOTT

PARTY FUNDING

STATE funding of political parties is to be considered as part of a reform of the current system of party funding.

Ministers plan a Bill outlawing overseas donations after the Committee on Standards in Public Life, under the chairmanship of Lord Nolan, has conducted its own inquiry into political funding.

Tony Blair has sought Lord Nolan's views on party political funding. However, the issue could be delayed while the Government finds a new committee chairman to succeed Lord Nolan when he stands down in the autumn. Labour does not accept money from overseas donors and has claimed that Conser-

vative coffers have been swollen by foreign donations. Senior Tories refuse to disclose details of party funding. Labour has accepted donations from expatriates but says it would accept money only from people who have a direct democratic interest. Labour has introduced its own internal rules that donations over £5,000 be disclosed and is expected to press for such a move to become law.

Doctors back end of internal market

By IAN MURRAY
MEDICAL CORRESPONDENT

NHS

ACTION to make cuts in bureaucracy that would save £100 million a year for health care is already underway, doctors' leaders were told yesterday during their first meeting with Frank Dobson, the Health Secretary.

The meeting was to outline the proposals in the Queen's Speech for dismantling the

internal market of the National Health Service, which was the cornerstone of the reforms brought in by the Conservatives eight years ago. The intention is to end the purchaser/provider relationship and do away with the two-tier system created by fundholding GPs.

A White Paper is to be

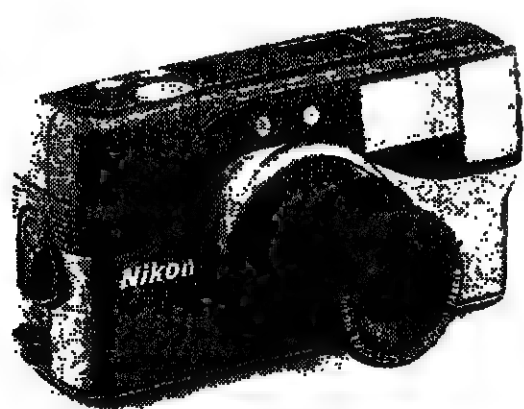
introduced in the next session of Parliament explaining how the complex system of contracts between GP fundholders and health authorities is to be replaced by a network of co-operative commissioning groups to provide "care on the basis of need".

The British Medical Association endorsed the abolition of the internal market, but did not believe that the £100 million savings would be enough

to head off what it claimed was a looming financial crisis. Ian Bogle, chairman of the association's GP committee, said he was encouraged by Mr Dobson's promise to work with the profession.

Legislation will be introduced to clarify the power of NHS trusts to enter partnerships with the private sector. Philip Hurn, chief executive of the NHS Confederation, said the changes looked promising.

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SUNDAY

Proposed Israeli Act 'will outlaw New Testament'

FROM CHRISTOPHER WALKER IN JERUSALEM

CHRISTIANS are up in arms about a proposed Israeli law that they fear could be interpreted as making possession of the New Testament a criminal offence punishable by a year in jail.

The proposed legislation takes the form of a far-reaching extension of statutes against missionary activity. The proposal has recently passed its first Knesset reading and is now before the Law Committee of the 120-seat parliament.

Clarence Wagner, a prominent Jerusalem-based Christian and member of the religious group Bridges for Peace, said: "There has been a preliminary reading on a law which makes it illegal to have literature which can be considered missionary. Just having a

New Testament in my home can be construed in certain quarters as being missionary, I see these kind of laws as a great threat to the Jewish State and to democracy."

An English translation of the draconian proposed law states: "Whoever possesses, contrary to the law, or prints or copies or distributes or shares or imports tracts, or advertises things in which there is an inducement for religious conversion is liable for one-year imprisonment." The amendment adds: "Any tract or advertisement in which there is inducement to religious conversion will be confiscated."

The new law is much tougher than the existing anti-missionary legislation which is opposed to "any missionary

seduction to convert religion", especially that involving minors and offering financial inducements to Jewish adults to convert.

Jan Willem Van der Hoeven, the spokesman for the pro-Israel International Christian Embassy in Jerusalem, told *The Jerusalem Report*: "Churches around the world have fasted and prayed against this law." He expressed concern that it could diminish broad support for Israel among evangelical Christians.

Christians are hoping to whip up parliamentary opposition against the further readings necessary to transform the Bill into law. Christian leaders are well aware, however, that religious Jews won large numbers of votes in last year's election and, with 23 seats in the Knesset, could make or break any feasible coalition led by a secular party.

The Bill's sponsors, Moshe Gafni, of the ultra-Orthodox United Torah Judaism Party, and Nissim Zivli, of the main opposition Labour Party, claim that they are responding to a Christian missionary campaign last year, when hundreds of thousands of Jews received proselytising material in the post.

Mr Zivli, a close ally of Shimon Peres, the defeated Labour leader, denied that his sponsorship of the Bill had anything to do with Labour attempts to woo religious parties away from the ruling right-wing coalition. He



Dennis Ross, the US envoy trying to break the deadlock in peace talks between Israel and the Palestine Liberation Organisation, tours the Hisham's Palace archaeological site in Jericho with the chief PLO negotiator, Saeb Erakat. Talks broke down over Israeli settlements in Arab east Jerusalem. Mr Ross was due to host more talks last night

Supreme Court turns down inquiry plea

Jerusalem: Israel's Supreme Court yesterday rejected a request to set up a commission of inquiry into the alleged corruption surrounding the appointment of a new Attorney-General earlier this year.

The five judges turned down most of the nine petitions filed by various plaintiffs about the matter, which involved the short-lived appointment to the post in January of Roni Bar-On, a friend of Benjamin Netanyahu, the Prime Minister.

The judges rejected a demand that a state commission should be set up to look into the entire affair and that the Government should publish the full findings of an investigation that led the police to recommend that Mr Netanyahu should face charges.

Several of the remaining petitions still being considered by the Supreme Court demand that it should overturn the decision not to charge Mr Netanyahu over the affair. (AFP)

McVeigh defence strategy backfires

FROM IAN BRODIE IN WASHINGTON

THE small-town lawyer who portrayed Timothy McVeigh as a friendly young man wrongly accused of the Oklahoma City bombing has seen the prosecution pile up a devastating case that has the defence reeling.

For two years, Stephen Jones courted the American media as a spin-doctor on behalf of his client. He hinted darkly of foreign terrorist involvement in the bombing. He suggested that the real bomber had eluded the FBI's grasp. Reporters who agreed not to discuss the case were allowed to interview Mr McVeigh in custody and found him relaxed and smiling. In studied contrast to his cold-eyed stare after his arrest.

The spinning went out of control, however, when a newspaper alleged that Mr McVeigh had given his defence team a confession for the blast on April 19, 1995. Mr Jones offered three explanations: it was a hoax; it was stolen; and it was intended to mislead another suspect.

Jeffrey Toobin, a lawyer and author who is attending the trial, writes in *The New Yorker* this week that Mr Jones's media strategy has backfired. Further, he says: "As the Government's proof has cascaded down on his client, Jones's options have dwindled. At times, the lawyer seems even to have lost his bearing in the courtroom."

Now, as the prosecution approaches the end of its compelling evidence, observers are wondering if Mr Jones has many shots in his locker for the defence. He is expected to attack mistakes at the FBI crime laboratory, but these are not thought to impinge seriously on the case.

Mr Jones tried hard to discredit Michael Fortier, the prosecution's most damaging witness, and a former army friend of Mr McVeigh's.

Mr Fortier stuck to his account of how the pair of them scouted the Alfred P. Murrah Federal Building where 168 died and how Mr McVeigh showed him an alley where he would park his getaway car after leaving a bomb-laden rental van outside the building.



A Christian cleric in the Church of the Holy Sepulchre, Christ's traditional burial place, in Jerusalem

Clinton aims to foil hardliners by backing moderate Bill on abortion

FROM BRONWEN MADDOX IN WASHINGTON

PRESIDENT CLINTON was on the verge of supporting a ban on late abortions yesterday, a landmark decision that would allow Congress to remove an important slice of abortion rights in force for a quarter of a century.

As the Senate began a two-day debate on abortion rights yesterday, Mr Clinton was considering sup-

porting a moderate curtailment of abortion to avoid another showdown with opponents of abortion in Congress. Anti-abortion sentiment in both Houses has grown since the November elections.

Congress has often sought to chip away at the Supreme Court's 1973 ruling which legalised most types of abortion by trying to restrict the availability of the operation. But proposed legislation, if passed, would mark a much greater en-

croachment in that it would ban an entire category of abortions. Mr Clinton was considering yesterday whether to throw his weight behind a Bill proposed by Tom Daschle, leader of the Senate Democrats, which would ban abortions after the point at which the foetus was deemed viable, or able to survive outside the womb. Mr Daschle estimates that viability comes after 23 to 28 weeks.

The Bill makes an exception for

cases where the mother's health risks "grievous injury", a principle Mr Clinton supports vigorously. He has used his veto against previous Bills that did not make that exception. Although the exception is more narrowly worded than he would like, he may be tempted to support Mr Daschle's Bill so as to scupper a Republican-backed Bill aiming to ban "partial birth" abortions which makes no exceptions for the woman's health.

"Partial birth", referred to by doctors as "dilation and extraction", is a procedure where the skull of the foetus is crushed before the foetus is drawn out. Opponents of abortion rights have focused on it in the past year as a way of drumming up popular support for anti-abortion Bills.

Of the 1.3 million abortions performed each year in the United States, about 1.3 per cent take place after 20 weeks, halfway through a

pregnancy. Doctors put the number of partial birth abortions at about 2,000, most before the foetus could live on its own.

Under the Republican-backed Bill, a doctor performing an illegal abortion would face a \$250,000 (£153,000) fine and two years in prison. Under the Democrat Bill, he or she would face a \$100,000 fine and suspension of licence for a first offence, and a \$250,000 fine and loss of licence for a second offence.

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Rajiv Gandhi 'was key conspirator in weapons scandal'

FROM CHRISTOPHER THOMAS IN DELHI

RAJIV GANDHI, the former Indian Prime Minister assassinated in 1991, has been named as the main conspirator in a multimillion-pound corruption scandal surrounding the purchase of artillery guns from Bofors, the Swedish arms manufacturer.

This adds significance to the decision last week by Sonia Gandhi, his widow, to join the Congress party for the first time. One theory is that this could provide political protection if the Bofors affair becomes an explosive issue. Mrs Gandhi lives a secluded life, never speaking on the record to journalists and mixing almost exclusively with a small circle of trusted friends.

The *Indian Express* quoted anonymous, highly placed sources in the Cabinet secretariat as saying that the Central Bureau of Investigation had sent a "top-secret" Bofors document to the Government for clearance. Inder Kumar Gujral, the new Prime Minister, will decide whether to allow the bureau formally to name the accused and proceed with charges.

The Bofors deal, worth more than 14 billion rupees (£250 million at today's rates), was signed by the Gandhi Government in 1986. Bofors has admitted paying "commissions" and Gandhi's role in the affair has always been

suspected. It will further sully the name of the Gandhi family if he is confirmed as a conspirator. The corruption culture among Indian politicians became firmly established in the 1970s, when his mother, Indira Gandhi, was Prime Minister. She mounted the only concerted assault on Indian democracy by imposing a state of emergency and imprisoning political opponents.

The *Express* said the bureau report accuses Gandhi of hatching a conspiracy to cause "wilful loss to the state exchequer" and allowing middlemen to make money, including an Italian friend of the Italian-born Mrs Gandhi, who is a naturalised Indian. The bureau reportedly failed



Gandhi: pushed through arms deal in 48 hours

to establish whether Gandhi personally enriched himself.

General K. Sundarji, the army chief at the time, has reportedly been cleared by the bureau of wrongdoing. He had often declared his preference for the French Sofma gun to Bofors weapons, before changing his mind. Once he stated his preference for Bofors, Gandhi pushed through the deal within 48 hours.

Bank documents released by Swiss authorities reportedly reveal that Mrs Gandhi's Italian friend, Ottavio Quattrocchi, received £1.57 million for acting as a middleman.

The Bofors affair ranks as one of the biggest corrupt deals in independent India. The gun has not been highly regarded by the Indian Army.

Mrs Gandhi's decision to become a party member has several possible explanations. She may be preparing the way for one of her two children, Priyanka and Rahul, to enter politics, or may have been persuaded to become involved to influence the outcome of forthcoming elections for party president. There is no indication that she intends to run for party or political office.

Hotel blaze: A fire damaged a hotel where detectives have set up an office to investigate the assassination of Rajiv Gandhi. About 250 guests were evacuated. (AFP)

Baby has unhappy hour in New York

FROM TUNKU VARADARAJAN IN NEW YORK

A DANISH actress and her lover from Brooklyn are facing trial for leaving their baby in a pram outside a bistro in downtown New York while they guzzled margaritas.

Police have charged Annette Sorensen, 30, and Xavier Wardlaw, 49, with "endangering the welfare and physical well-being" of 14-month-old Liv Sorensen-Wardlaw last Saturday.

A police car pulled up alongside the baby's pram and discovered her in full view. Two officers went into the restaurant and arrested the parents, ignoring their argument that Liv could be seen clearly from the window. The couple spent two nights in detention.

The case appears to rest on "cultural factors". Ms Sorensen, arguing that she would "leave her baby out on a Danish pavement", has lambasted the police. But local opinion has criticised her for failing to tell the difference between New York and Copenhagen. The *New York Post* said the corner of Second Avenue in question was "about as kid-friendly as a shark tank".

But in Copenhagen, Danish radio broadcast a quote by Hillary Clinton who said during a visit there in 1995: "Oh, if we all could live in cities where we could leave our babies in baby carriages outdoors while we went into shops without any fear."



The crown is removed from one of Hong Kong's 800 postboxes by Lam Chi-wah, a contractor, to be replaced by a hummingbird logo for China's takeover on July 1. Boxes will be repainted green. The Queen's profile was taken off stamps this year

Japanese Emperor plans visit to Britain

FROM ROBERT WEYMANT IN TOKYO

EMPEROR AKIHITO hopes to visit Britain next year. It is 27 years since the last Japanese state visit, when his father, Hirohito, was given a very hostile reception.

Tokyo palace officials still recall with horror the demonstrations that greeted Hirohito in London and other European capitals. The then Emperor, who helped to plan Japan's strategy in the Second World War, made headlines because he had no apparent remorse for his war crimes.

The speeches he delivered were written by the Imperial Household Agency, which still takes the position that Japan fought a righteous war. They contained no apology. Emperor Akihito took the Chrysanthemum Throne in 1989. Japan hopes he will be welcomed in London, but some courtiers are said to be worried.

As the two governments get down to the details of the visit, former prisoners of war and their families will want to know if Akihito will apologise for the atrocities committed by his nation more than 50 years ago. The Emperor was born in 1933, so was too young to don military uniform, but the Imperial Family was directly involved in the war.

He occupies the throne today because the West, for political reasons, acquiesced his father's responsibility for waging aggressive war.

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Turkmen ruler's statue to cast giant shadow over capital

FROM ROBIN LODGE IN MOSCOW

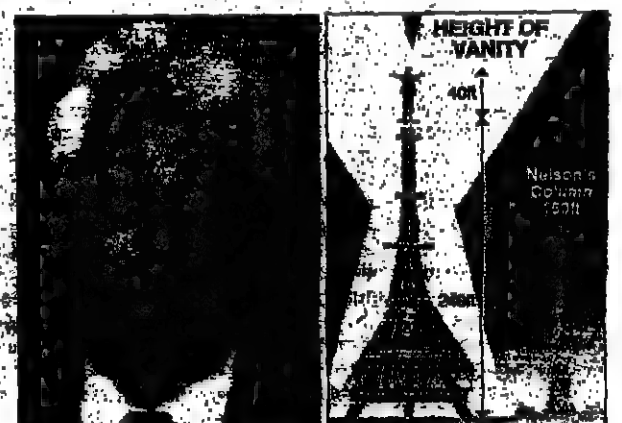
REPORTS from Ashkhabad, capital of the former Soviet Central Asian republic of Turkmenistan, say that the city is shortly to be adorned with a huge statue of its supreme ruler, Saparmurat Niyazov, to honour the man who has pledged to turn his country into a second Kuwait.

Reuters quoted local press reports as saying that plans had been announced to build a 240ft tower next to the recently completed presidential palace. The tower would be topped by a 40ft revolving statue of President Niyazov, 57, which, according to some reports, would be flooded at night to allow the populace a 24-hour view of the man awarded the title Turkmenbashi, or leader of all Turkmen, by his enthusiastic parliament.

Local officials, however, were coy about the project yesterday. A presidential administration official professed to have no information about the plan. A similar response came from the deputy editor of the official news agency, Turkmen Press.

A witness surveying the telephone at the Ashkhabad newspaper, *Nesruly Turkmenistan*, said she was aware of the project but could give no details. But Gregori Kolodini of the Turkmen Embassy in Moscow, confirmed that there were plans for a statue, which he said would be part of a huge memorial complex to celebrate Turkmenistan's centenary, confirmed by the United Nations in 1995. It would include a "monumental" arch, galleries and cafes, a huge clock with Turkmenistan picked out in lights and a revolving gallery high over the city, above which the statue would stand.

But the project still requires President Niyazov to give his consent. Mr Kolodini said. The possibility of Mr Niyazov withholding his consent appears remote. The Turkmenbashi's strolling features adorn hoardings all over Ashkhabad where no office is without his portrait.



President Niyazov and the design for his huge statue

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Guernica painting kept from Basques

FROM GILES TREMBLAY IN MADRID

PICASSO's vast and sombre depiction of the bombardment of Guernica has once more stirred political passions in Spain, as authorities in Madrid refused to lend the painting to the Basque country's new cultural jewel, the Guggenheim Museum in Bilbao.

The decision has outraged politicians in the northern Basque country. "There are political reasons behind this decision," the Mayor of Guernica, Eduardo Vallejo, of the moderate Basque Nationalist Party, said. "They have stopped the picture coming to the Basque country because it would be seen as a victory for Basque nationalism."

The transfer request coincides with this year's 60th anniversary of the bombing of Guernica by aircraft from Hitler's Condor Legion, which supported Franco's nationalist forces during the Spanish Civil War.

Curators at Madrid's Reina Sofia Museum said they refused the Guggenheim's request because of the fragile state of the 240-sq-ft canvas. They did not believe the Guggenheim could ensure its safety.

Guernica has been moved 32 times since first being displayed at the Spanish Republic's pavilion in the Paris International Exhibition of 1937.

Turks pour into Iraq to hit Kurdish rebels

FROM ANDREW FINKELE IN ISTANBUL

Suspension of peace talks in Ankara between the two main Kurdish factions, the Kurdistan Democratic Party of Massoud Barzani and the Patriotic Union of Kurdistan of Jalal Talabani. According to sources, the KDP representative did not demur from a Foreign Ministry announcement that the operation was at Mr Barzani's request; the KDP shares Ankara's wish to see the PKK ousted from its area. Turkish Kurds in the PKK use border bases for their own separatist campaign.

TURKISH troops entered northern Iraq yesterday to attack Kurdish Workers' Party (PKK) guerrillas. The Anatolia news agency said jets bombed at least five mountain bases. However, the Foreign Ministry refused to confirm television reports that more than 50,000 soldiers backed by artillery and 250 tanks were involved, which would make the operation bigger than the month-long incursion two years ago. Yesterday's attack began at dawn, just hours before reports of peace talks in Ankara between the two main Kurdish factions, the Kurdistan Democratic Party of Massoud Barzani and the Patriotic Union of Kurdistan of Jalal Talabani. According to sources, the KDP representative did not demur from a Foreign Ministry announcement that the operation was at Mr Barzani's request; the KDP shares Ankara's wish to see the PKK ousted from its area. Turkish Kurds in the PKK use border bases for their own separatist campaign.

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British Embassy and US envoy's residence on list of alleged targets for besieged Mobutu troops

Fear for foreigners in Kinshasa countdown

FEARS are growing that Kinshasa, the Zairean capital, could become a killing ground as rebel forces close in. Western intelligence reports say foreigners as well as Zairean politicians could be marked out by the beleaguered Zairean Army.

Documents shown to *The Times* name individuals and installations to be targeted. Among those marked for summary "execution" are members of the Cabinet of Kengo wa Dondo, the recently ousted Prime Minister, who is now in exile in Europe. On the list for destruction are government buildings, power and water installations, the American Ambassador's residence and the British Embassy.

Amid speculation that a rebel attack is about to be launched on the city, the Foreign Office has again advised British citizens to leave Kinshasa. On Tuesday, the US State Department advised American nationals to evacuate the capital without delay.

Western diplomats are taking seriously warnings from the Alliance of Democratic

Reports that Zaire's Army could embark on a killing spree in its final hours before defeat are being taken seriously by the West, David Orr writes from Kinshasa

Forces for the Liberation of Congo-Zaire, that foreigners will be in the firing line. The alliance, which is poised to overthrow President Mobutu, controls three quarters of the country.

The rebels have said there could be widespread bloodletting by the Zairean forces that have been driven back towards Kinshasa. While Britain and America insist they have no concrete evidence that foreigners are at risk, they are taking the threat seriously.

"In the light of increasing tension, we're re-emphasising our advice to our citizens," said a British Embassy spokesman yesterday as a "dead city" strike, called by the main opposition party, brought Kinshasa to a standstill. "We're aware of the threats made about the safety

of foreigners and we cannot discount that foreigners could be among those at risk, particularly if rioting and shooting break out."

It is feared that the Zairean military might target foreigners to provoke international intervention. Unless there is a last-minute diplomatic solution to the crisis, nothing short of outside intervention is likely to save the Mobutu regime. The cancer-stricken President has relied on foreign help in the past to stay in power. But now he has few friends, and even France, a traditional ally, has shown no appetite for military involvement.

The Mobutu regime is particularly critical of the United States, which it accuses of having sided with Laurent Kabila, the rebel leader. With

South Africa, the US has been at the forefront of diplomatic efforts to persuade President Mobutu to relinquish his 32-year hold on power.

Also fearful of retribution are former government ministers and opposition politicians. One document, obtained by the Italian newspaper *Corriere della Sera* and shown to *The Times*, gives the coded names of prominent political figures to be killed before any rebel occupation of the city. Although it cannot be authenticated, the document appears to be signed by a high-ranking military authority and bears the stamp of the army's Special Presidential Division.

The British Embassy is the main assembly point for Britons in the event of an evacuation being ordered. British forces, stationed across the River Congo in the Congolese capital of Brazzaville, are on standby to evacuate some 1,700 British citizens and so-called entitled persons. The embassy compound would be secured by Royal Marines and other soldiers.



President Mobutu, left, is welcomed for peace talks by Congo's President Lissouba at Pointe Noir yesterday

Swiss will consider request to freeze dictator's fortune

FROM SAM KILEY IN JOHANNESBURG

SWISS authorities were yesterday reviewing a request from Zaire's chief prosecutor to freeze billions of dollars allegedly siphoned by the ailing President Mobutu.

The request came as talks, described as the last chance for peace, were put off yesterday between Mr Mobutu and the rebel leader Laurent Kabila. They are now scheduled to take place today.

In Geneva, the federal banking commission said it would widen a search for Mr Mobutu's missing billions after an informal inquiry showed there were no Swiss bank accounts held in the dictator's name.

Members of the Mobutu clan have told *The Times* that the family had been moving assets out of Switzerland. The sources said Mr Mobutu's eldest son by his first marriage, Manda Mobutu, flew to Geneva late last week to draw funds to pay Angolan rebels, mercenary groups and Zaireans to stage a counter-attack against Mr Kabila's forces, said yesterday to be 60 miles from the capital, Kinshasa. Mr Manda, who is the President's senior adviser, has been in charge of his father's fi-

nances for several years. Mr Mobutu's wealth is estimated to be at least \$4 billion (£2.5 billion), and possibly much more if the assets of his family are taken into account. Recent investigations have revealed that much of his wealth is invested in properties in Switzerland and France.

A Swiss Government statement said yesterday that President Koller had informed his Cabinet of the demand from the Zairean prosecutor. But Swiss officials were unclear whether the prosecutor was representing the collapsing Mobutu regime, or Mr Kabila's Alliance of Democratic Forces for the Liberation of Congo-Zaire, which now controls most of the vast country.

The peace talks are aimed at averting a rebel attack on Kinshasa. But as President Mandela and Mr Mobutu waited ashore in Congo's main port of Pointe Noire, where the South African ice-breaker was docked, Mr Kabila was said to be in the Angolan enclave of Cabinda, south of Pointe Noire. A rebel spokesman said they would only join the vessel after it was in international waters.

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Dr Thomas Stuttford on the importance of taking regular meals; a new method of treatment for cystic fibrosis; the benefits of folic acid during pregnancy; Parkinson's disease and the sense of smell; and electrical pain relief

Don't skip your lunch, minister

It is reported that the Government's new ministers are running so fast now they have hit the ground, they have been told there will be no time for them to enjoy the established custom of a long luncheon. Any protests have been met with the suggestion that sandwiches eaten at their desks should provide quite enough energy to keep ministerial grey cells fuelled.

People, unlike wild dogs and even their domesticated cousins, need more than one meal a day. Any edict which encouraged politicians to emulate City workers, who too often skip breakfast and lunch but eat a heavy evening meal, might do irreparable damage to their health, in particular their cardiovascular systems. No prime minister, however large his party's majority, would welcome a regular review of government popularity through unnecessary by-elections. One of the secrets of avoiding heart disease is to range meals so that blood fat levels are never too high, and are cleared efficiently from the bloodstream.

Dr David Frape, a physiologist working on diet and its relationship to heart disease and diabetes at the pathology department of Papworth Hospital near Cambridge, says: "The British custom of three main meals a day, reasonably high in carbohydrates and with some fat but not too much, together with enough protein to maintain the structure of the muscles and other essential

organs, is ideal. This established pattern of eating is changed at the consumer's peril."

This view reflects the standard medical opinion that although breakfast is an important meal, its constitution needs careful thought. "From a physiological point of view," Dr Frape says, "it is a grave mistake not to have breakfast. Porridge, or cereals such as cornflakes with some milk, and toast with a little margarine or butter is ideal."

'People, unlike dogs, need more than one meal a day'

The rate at which the body produces insulin, and the sensitivity of its tissues to insulin, varies throughout the day, like other physiological functions. The digestive and metabolic systems are controlled by an inbuilt body clock.

In the early morning, insulin efficiency is low and too much carbohydrate, particularly the fructose found in sugar, honey and some fruits, may cause a release of very low-density lipoprotein fat from the liver into the bloodstream. Fructose will stimulate fat synthesis at any time of the day, but the large glass of fruit juice is probably best taken between meals. Insulin is not only needed for the metabolism of carbohydrates, but also has a role in triggering the action of lipoprotein lipase, an enzyme which helps to clear the bloodstream of triglycerides and other very low-density lipoproteins. These are the type of blood fats that are lethal if allowed to reach too high a level, or to flow for too long.

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Balanced eating habits are the secret of efficiency at work. Missing a meal and wolfing too much are equally harmful

in a politician's (or anyone else's) arteries. Too much fat at breakfast, such as a satisfying fry-up of bacon, sausages and eggs with well-buttered toast, can result in particularly high fat levels in the blood at about lunchtime. Some of this breakfast-time fat would have been stored in the walls of the gut, to be released just before the fat from the lunchtime mixed grill starts hitting the circulation in the early afternoon.

Lunch, like breakfast, should be a reasonable mixture of protein, carbohydrate and fat. Too much carbohydrate, even sandwiches with a rich filling, particularly if taken with a large glass of fruit juice laden with fructose and a cup of sweet coffee, could cause a very marked rise in blood fats derived from the liver, as well as raised blood sugar. A high carbohydrate meal, particularly if breakfast has been missed, will also result in high blood sugar levels,

which predispose people to heart and kidney disease.

The human metabolism deals more efficiently with fats, particularly if breakfast has been eaten, as the day wears on. Dinner, however, should not be too late.

Exercise is important. Violent exercise immediately after eating interferes with the circulation, causing too great a proportion of the blood supply to be directed away from the digestive tract and heart to the muscles of the limbs. The heart may thereby be deprived of oxygen, and any tendency to coronary heart disease and angina will be uncovered. Digestion will also be rendered inefficient.

It has been known for many years that insulin production, and the sensitivity or resistance of tissues to it, are important

factors in the ability to develop heart disease. Genetic inheritance may be of great importance in this respect, but whatever someone's genes, they can do much to overcome their inherited constitution.

Three reasonably sized and spaced meals a day, with no long periods of fasting, is ideal. The regime should include a breakfast with a balanced carbohydrate/fat mixture, a standard school-meal-type lunch, and a dinner which is not too heavy. A relatively low-fat cereal breakfast, emphasising cornflakes rather than bacon, reduces the girth of the waist.

After meals, a post-prandial nap is useful, and there should be a sensible intake of alcohol — red wine is the best.

Apart from reducing parliamentary vacancies to a minimum, this style of eating would provide some consolation for everyone, politician or constituent.

Big F label reassures pregnant women

FOODS fortified with folic acid in future will be marketed with a distinctive capital F surrounded by a blue circle. This scheme is being introduced by the Health Education Authority.

A surprisingly large number of women who are intending to become pregnant are still not taking additional folic acid. Taken before conception and in the first three months of pregnancy, it helps to prevent abnormalities such as spina bifida and hydrocephalus as well as lesser defects such as hare lip and cleft palate.

The obvious reason why some women do not take folic acid is that their pregnancy was unplanned. Folic acid should be taken even before it is decided to discontinue with contraception.

Taking folic acid tablets is the only method of guaranteeing some protection, but increasing folic acid in the diet — by taking food, including breakfast cereal and bread, that has been fortified with additional acid — could be a great help.

Women who could become pregnant, even if pregnancy is not specifically planned, should choose foods fortified with folic acid and marked with the capital F, eat plenty of green vegetables, and above all take folic acid tablets.

The advantages of additional folic acid will not be confined to women, as it also helps to protect the arteries against arteriosclerosis and hence heart disease.

Symptom of Parkinson's

A new diagnostic sign of Parkinson's disease has been uncovered. Although the characteristic tremor, the slow shake which is at its most obvious when patients are at rest and not using their limbs, is the sign that is the diagnostic feature recognised by the general public, not all patients with Parkinson's disease initially suffer from it. Most people are less aware of the rigidity of the joints, difficulty in starting any movement and the lack of facial expression that are also early indicators of

the condition. Research published in the *Journal of Neurology, Neurosurgery and Psychiatry* has shown there is another sign, just as common as the tremor, which is rarely commented on even, in medical text books.

Patients with Parkinson's disease are as likely to have a loss of sense of smell as they are to have a shake. Examination reveals that the olfactory bulbs show typical Parkinson's-type changes.

Loss of sense of smell has a very destructive effect on the palate and would increase the liability of patients with Parkinson's disease to become depressed and lose their appetite.

New hope for cystic fibrosis

Patients with all but the mildest forms of cystic fibrosis — the severity varies considerably — used to die in childhood or adolescence from chronic lung disease. Now the median age of survival is in the late 20s or early 30s and is still rising. Cystic fibrosis is now becoming an adult as well as a paediatric problem. The improved outlook is the result of early diagnosis and an aggressive, proactive approach to treatment to prevent lung damage, rather than merely hoping to correct it.

Better treatment is only possible because of a wider range of antibiotics, together with better methods of delivering them. The latest advance in treatment is to be presented to a conference of the European working group on cystic fibrosis in Davos, in June. Research workers are to introduce a new product, Tobramycin for inhalation, which it is hoped will be launched in America later this year. If it passes British trials, it should be available here next year.

Tobi should further improve the outlook for patients with cystic fibrosis. Patients now have to make their own mixture of Tobramycin for inhalation by using a preparation of the antibiotic intended for injection. The preservatives, which are incorporated into the mixture in some cases,

induce a wheeze or bronchospasm, resulting in constriction of the bronchial tubes so that the antibiotics are prevented from reaching the infected lung tissue.

Any improvement in the treatment of cystic fibrosis is particularly important in Britain where a third of all sufferers in Europe live. The highest incidence in the world is in Co. Cork, which may account for the unusually high proportion of patients who have the classic Celtic looks. The disease is four times as common in the white races as in black races and is very rare among Orientals. In Britain it affects one person in 2,400.

Cystic fibrosis is the most commonly inherited fatal disease and affects the exocrine glands of the lungs and the digestive tract. It results in the glands secreting into the bronchial tubes, and those within the pancreas, bowel ducts, salivary glands and intestine, producing a very sticky material which clogs up the passages, thereby causing obstruction and later recurrent infection. The secretions also obstruct the vas deferens in 98 per cent of men so that nature produces in these cases the type of infertility akin to that which follows a vasectomy. In women fertility is reduced, but not always lost, by the thickness of the cervical secretions. Obstruction to the

tubes leading to the lungs causes recurrent patches of lung collapse, infection and breakdown of the lung tissue.

Tobi has been developed by a pharmaceutical company in conjunction with the American cystic fibrosis foundation and the University of Washington. The antibiotic is in a highly concentrated form, which is inhaled deep into the lungs by means of a nebuliser. By applying it directly to the lung tissue a very much heavier dose can be delivered than if it was taken by any other route, as Tobramycin is toxic. Although Tobramycin can

cause deafness and kidney damage, neither complication has been reported with Tobi delivered by nebuliser.

The effect of the treatment will be to prevent colonisation of the lung tissue with lethal organisms and thereby add years in the life of the patient.

This safe delivery system may also enable Tobramycin to be used in other conditions such as bronchiectasis, in which there are areas of chronically infected lung, and possibly against multiple drug-resistant tuberculosis. © Cystic Fibrosis Trust 0181-464 7211



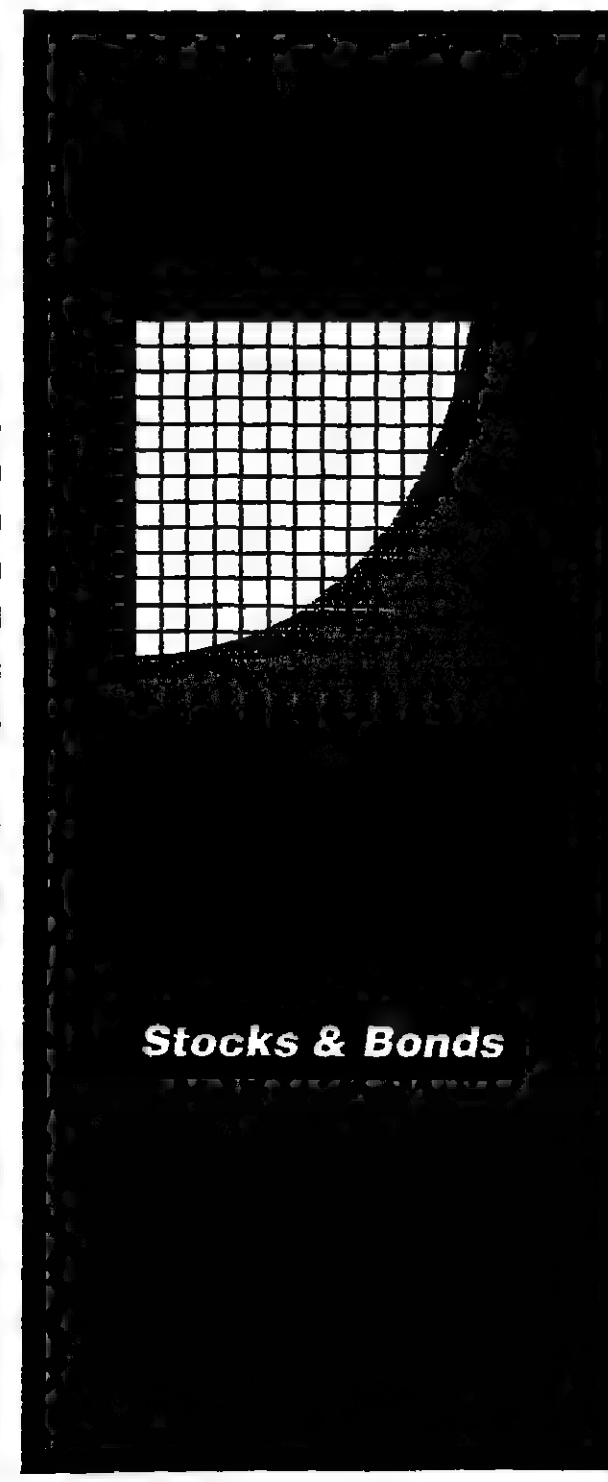
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Stocks & Bonds

How electricity can cure pain

THE hushed atmosphere in the marbled splendour of the Royal Society of Medicine was disturbed last week by the presence of a small terrier, known to her family as Melza.

Melza had damaged her spine, possibly by leaping too enthusiastically off the sofa. She growled when patted.

Dogs are not usually admitted to the Royal Society of Medicine but Melza was an exception, for she was the first patient for a demonstration of transcutaneous spinal electroanalgesia (TSE).

In TSE, two surface electrodes are placed over the skin covering different parts of the spine. The electrical pulse delivered through the electrodes is barely felt by the patient — canine or human — and causes no distress or troublesome side effects. TSE does produce, however, marked pain relief in a greater number of patients than could be accounted for by chance or any possible placebo effect.

Within minutes of the electrodes being applied to Melza's neck and back she

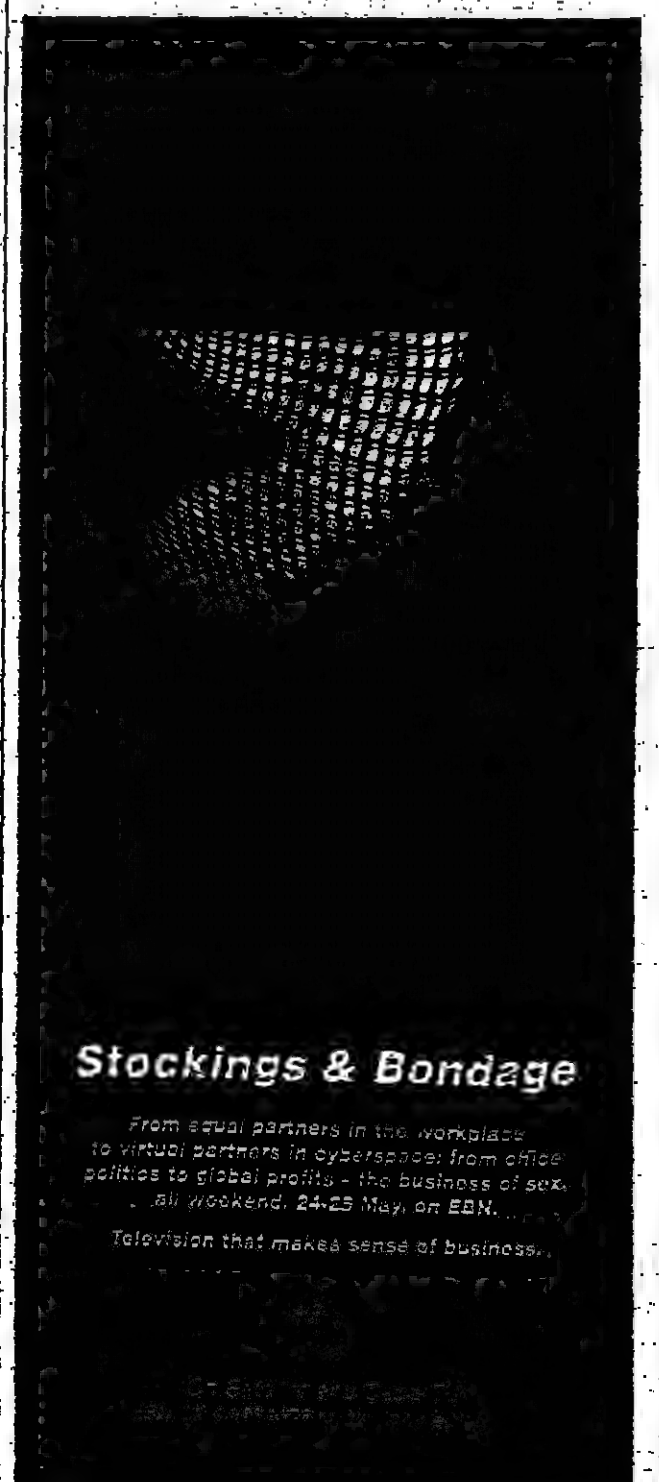


Better: Melza

was yawning, more relaxed and approachable. Later, other patients also had their pain relieved.

Dr Alexander Macdonald, of Bristol, lecturer and inventor of the machine, said the relaxation pain relief didn't occur in all patients, but when it did, its effect was striking.

One baby had destroyed its parents' nights with its inconsolable crying; the TSE machine relaxed it, and it was asleep within minutes.



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'You know how you meet someone and you just click'

He lent Peter Mandelson a car during the election campaign, and will lobby Tony Blair on drugs. Is James Palumbo new Labour's secret weapon? Interview by Mary Riddell

James Palumbo rang, in response to my fax, to say that he didn't do interviews. Well, hardly any. "I always end up sounding like a moron," he explained mournfully. This appeared to be such an overwhelmingly good reason for staying out of print that I was loath to argue.

But then he said very quickly that, actually, he would be terribly thrilled. How soon could we meet, he wondered?

And did I know his new friend, Peter Mandelson? "You do? Oh, can you tell me some gossip about him?" I confessed to being wholly unversed in Mandelson gossip, but the inquisitorial tone of our meeting was already set.

Here we are, several days on, in Palumbo's London club, the Ministry of Sound, where he has prepared a dossier of further queries.

"Am I aggrandising myself by doing this? Am I puffing myself up? Am I really that interesting?" Am I worth interviewing?

Impossible to tell, you feel like saying, unless you calm down and answer some questions. But of course he is intriguing. For a start he has created, from a derelict shoe warehouse behind London's Elephant and Castle, the most durably successful night-club in Britain: drug-free, seemingly impervious to the vagaries of fashion and centre-piece of a leisure business turning over £20 million a year.

Second, and rather more lucratively, he and his older sister, Annabella, took their father, the former Arts Council chairman, Lord Palumbo, to court, claiming that he was aggrandising himself, and would extricate himself. Two years have elapsed since the family's trust was changed, but the acrimony of the case directed at James Palumbo lingers on.

He was, according to the PR campaign of the time, the ingrate son: a man, so detested by his mother that she disowned him on her deathbed. Chad Varsh, the founder of The Samaritans and the man who baptised Palumbo, reportedly branded him as diabolical and declined to christen his illegitimate child.

Although the demonisation of James Palumbo was ill-founded, the stigma remains. Once the epitome of the Eighties slick-merchant banker ("I hated the City; the whole thing was just horrendous", he now, aged 34, remains consumed by the desire to make money and to succeed).

Less predictably, he produced a string of anti-establishment advertisements as part of a campaign to mobilise Britain's youth vote for the election. An early

survey suggested that 400,000 more young people registered to vote, although he is diffident about his own part in inspiring them.

Besides, he is honest enough to admit that his crusade was a hybrid of ideology and marketing. "Yes, that's totally true. We thought it elevated us as a business. I wondered how you could tell if it had any results, but I'm less cynical now."

Palumbo himself has a snacking appetite for party politics. An admirer of Simon Hughes, the local Liberal Democrat MP, he released a top man from the Ministry of Sound to work at Conservative Central Office during the run-up to the election. His personal joy at Tony Blair's victory was in large part due to the seemingly mesmeric appeal of Peter Mandelson, to whom he loaned a chauffeur-driven silver Rover almost on first acquaintance.

"You know how you meet someone, and you just click. I really like him. I had dinner one night with him, and he had to go back to the Commons. He'd parked his car on the pavement, and I thought it was just absurd that someone like him should have to drive himself. It seemed mad: a bit dangerous, actually."

I walked him back to his car, and I felt concerned for him. I thought it was something we should do to help. And does Mandelson get to keep the car? "I can't remember when the deal with the driver expires. Two months after the election, I think. Remember, this is just a Rover with a nice old guy to drive it. It's cheap."

It would be obvious to assume that Palumbo's new politics are one more kick against a father said to have lavished millions on the Conservatives, but his allegiance is more complex than that. Both the prodigal and the entrepreneur in him resonate with a creed of hard work and a payback for virtue.

His grandfather, Rudolph, was the son of Italian immigrants and the architect — through astute postwar property dealing — of a £150 million fortune he left in trust for his heirs. Wealth notwithstanding, Palumbo's childhood was marred by the quarrelling and eventual divorce of his father and his mother, Denia.

There was a lot of shouting. That must have made a mark. It's something I've had to work out over the years. I do have a strong business drive and an abhorrent fear of poverty and not doing well."

After Eton, where he was disliked and bullied — he says for ending the "fagging" system — and Oxford, Palumbo broke off all links with his

family to begin his successful City career. He was already established as a ruthless, efficient businessman when he chose to tackle his father over the management of the family trust. Lord Palumbo, by then remarried to a Lebanese divorcee and father to three children by his second marriage, was publicly accused of extravagant mismanagement. A list of his spending, produced by James's lawyers, included £13 million on works of art, £2.5 million on vintage wine and £4.5 million on two Corbusier homes in Paris.

New trustees were ultimately appointed, and James Palumbo was forbidden by court order ever to speak of the case. But why, you wonder, had he ever



James Palumbo: "When I came to this business, with my bonuses and my nice City suits, I was completely naive"

brought it, given his pride in making his own fortune rather than leeching off family wealth? "I've always liked charging the guns. I felt it was the right thing to do." Not that he ever yearned for a father who would bestow on him either money or privilege. "I'm really pleased that I wasn't disadvantaged by someone who said: 'Well sort out your career for you, look after you, buy you a house in the country.'"

He has not spoken to Lord Palumbo since the case finished, and — although he claims not to hate him — the chilly contempt he retains for him and his forceful stepmother seems almost more damning. By contrast, he adored the

mother who was said, wrongly, to have disowned him in her dying words. "I was with her when she died. I was a difficult child, not compliant, but I was her favourite. We were both Gemini, both very similar." But his real sentiment is reserved for Allesandro, his six-year-old son, who lives with Palumbo's former girlfriend, Atossa Harari, in Dubai.

"Everyone says their children are wonderful, and it sounds nauseating. But he is genuinely brilliant and smart. And a means, no doubt, for exorcising the failure of his relationship with his own father. "Yes, but I'd love him anyway."

Fatherhood apart, Palumbo has proved to be more socially aware than the "flashy rich gits" he so despises. The drugs problem at the Ministry of Sound was, he says now, so intractable that he feared his clean-up campaign might end in his death.

"When I came to this business, with my bonuses and my nice City suits, I was completely naive. Just a joke. I found that every Friday and Saturday night, my door take was £30,000 and the security team was making £40,000 on Ecstasy."

"It happens everywhere in the UK leisure business. There are all these fat bastards running chains of discos and bowling alleys, and none of them admits it. It sounds dramatic, but I hired a psychoanalyst to help us to get the dealers out and cope with the threats. If they say: 'We're going to kill you', you know what you're up against. But the threats [from the East End drug gangs] are much more sinister."

The word is led back that if the business is cut off, they will follow you home, go for your family, stab you or murder you. However real the threat to Palumbo's life, the London drugs business was so pervasive that he still buses in highly paid professional security teams from the north to stop any recurrence.

In addition, he sees his stance on drugs as a political mission, which he has already begun. "I helped to write the drugs Bill that went through Parliament several weeks ago. That gives the police fairly draconian powers to close down clubs, but we have to go a lot further."

Tony Blair is going to be really busy, but I shall argue with him, if I get the chance, that it's all very well for young people to be well educated, but you have also to look properly at the effects of drugs.

"I'm about to start a massive campaign in the industry. We know that door teams are still organising drugs, and I shall have to explain that to Peter or someone." Hence, you suppose, the Mandelson car: offered partly as a kind gesture but also perhaps (although Palumbo does not say so) as a rich man's ploy to put a marker down on his pet crusade. Not that he is at all sure how he will mesh with Labour.

He would, for instance, like to find a girlfriend and have more children but cannot endure the thought of marriage. "Tony is so strict," he says with anxious naivety. "So how will that fit in with new Labour?"

This query reminds him that I have had the lion's share of the questions. "How did I do?" he wonders. "What were my answers like? Too short? Too long?"

He refrains from asking whether he had sounded, as he gloomily feared, like a moron. He had not. Just curiously juvenile, in the way of someone still haunted by a damaged childhood. If money helped to create those problems, then money, he believes, is also the solution.

His above-the-line target is a niche in the international market and a trebled turnover. The real agenda, you feel, is to outshine a grandfather famous for building fortunes and a father allegedly more famous for spending them. Only then will he consider that, as with the Labour victory, diligence and virtue have produced suitable dividends.

● This article is abridged from an interview in the current issue of the New Statesman

A two-fingered gesture of goodwill

LIKE Socrates, Copernicus and Galileo before him, Tony Banks has been cruelly misunderstood. Tony Blair's new Minister for Sport wasn't making mock when he crossed his fingers in the Commons this week to swear allegiance to the Crown.

What he was doing — maybe, on reflection, too discreetly — was promoting Tony Blair's new mission to rid politics of long-winded speeches and gung, while at the same time nudging Britain back into the bosom of the European Union.

It came about like this: Mr Blair has decided that one

way to achieve these goals is to ape Europe's passion for hand gestures. Not only will the shorthand of gestures cut out the waffle in Cabinet meetings, they will also have the effect of making every street corner in Norwich feel as cosmopolitan as Naples.

The reason Blair chose Banks to spearhead this important work was because Banks — being a hot-blooded, straight-to-the-point sort of fellow — is a man who knows that you can say more with

two fingers than with a thousand words. Winston Churchill knew it, too. And that is why Banks was crossing his fingers.

He was doing it in the superstitious hope that it might help him to keep his new job. "It's such a wonderful job that I can't believe my luck. I am a very superstitious person. I'm always crossing my fingers."

The gesture, devised by early Christians, comes from the belief that making the sign

of the cross will avert bad luck. It has long since become a common way of seeking good fortune. Camelot chose it as the symbol of the National Lottery.

SOON we will all be making similar gestures: at home, at the office, in the supermarket. As Banks gets into his stride, every British schoolchild will know that in France, a ring formed by joining the thumb and index finger means "worthless". They will see that

in both France and Italy, flicking an imaginary beard with the backs of one's fingers under the chin signals disbelief. Italy, where it is often too hot to talk, is probably Europe's most eloquent manual communicator: by pressing together his thumb and forefinger and screwing them into the cheek, an Italian expresses praise, especially for food. If a Roman tugs at his right ear, he thinks you're effeminate.

Germans signal good luck by tucking their thumb into

their fist, or by pounding an imaginary table. In Holland, if the person you are talking to starts sucking his thumb, he thinks you are lying. See how speedy and unfussy it is?

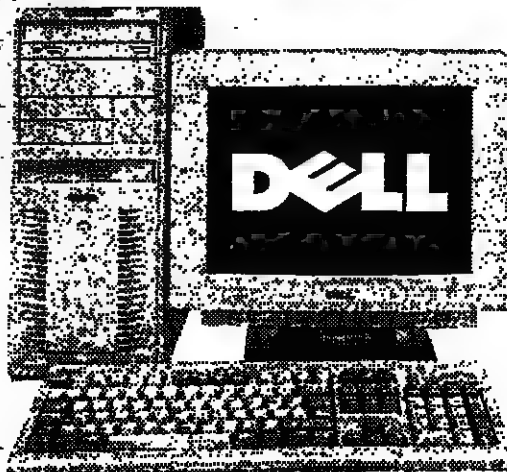
In Spain and Italy, by pulling down the eyelid with a forefinger, you can warn someone to be alert. So if you should spot Ann Widdecombe doing this when the Tory party is debating whether to choose Michael Howard as its next leader, you will know that the Blair and Banks revolution is already making its mark.

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Twilight of our elective dictatorship

Anthony Lester hails a first step towards a British Bill of Rights

The new Government has inherited the most unbridled political system of any modern democracy. With its huge majority, the Cabinet and the governing party can control the elected chamber. We have no written constitution limiting the powers of government and no fundamental law protecting the rights of the individual citizen against the misuse of the powers of the State.

The British system is also the most centralised in Europe — our capital city deprived of an elected authority, Scotland, Wales and the English regions ruled by Whitehall and the new magistracy of unelected quangos. Local government, civic virtue and public service have been undermined by worship at the altar of market forces. This is the system shaped and defended by the Conservatives for 18 years, aptly described by Lord Hailsham as the "elective dictatorship".

I was a member of the Joint Committee that reached an historic agreement between the Labour and Liberal Democrat parties to co-operate in seeking to renew the British political system. We found common ground, published our proposals, and included them in our manifestos. We were given wide-spread popular support across the country in the general election on constitutional issues that were strongly contested by a Tory party of Little Englanders. It is greatly to the credit of Tony Blair and his colleagues that immediately on winning office they seek to limit their inherited powers by securing the European Convention on Human Rights in UK law. They demonstrate a welcome commitment to plural democracy and accountable government, as well as to administrative efficiency. There is glimmering along the corridors of power.

The rights guaranteed by the Convention are part of our birthright and constitutional heritage. The Text of the Convention was drafted by British lawyers. It has been exported by British governments to become part of the written constitutions of many Commonwealth countries.

What is envisaged involves no challenge to the traditional dogma of parliamentary sovereignty. The Government's measure is likely to be similar to my Human Rights Bill, given an unopposed second reading in the Lords in February. Taking a leaf from the New Zealand Bill of Rights Act 1990, it will require our courts to give a meaning to statutes that is consistent with Convention rights. Its enactment will involve the exercise of parliamentary sovereignty, not its diminution. The new Act will not be entrenched against amendment or repeal by a future Parliament, nor will it authorise a government of unelected judges. The courts will treat the Act as a fundamental law having special constitutional status unless and until Parliament rules to the contrary.

Ministers, civil servants and other public authorities will be required by law to discharge the powers delegated by Parliament in a manner that respects human rights — for example, the power to censor broadcasting, or to place a wiretap in our homes, to blight our property, or to invade our personal privacy.

The courts will have a mandate to balance the competing aspects of the public interest where human rights are at stake, and to provide speedy and effective remedies. British case law will enrich the uncertain jurisprudence of the grossly overburdened European Court of Human Rights.

The new law will replace ethical aimlessness with a code guiding the work of all three branches of government, promoting an open society and a modern democracy. When introducing Bills into Parliament, ministers will be required to explain why any provision is, or appears to be, inconsistent with ECHR rights. The role of Parliament will also be enhanced by the creation of a Joint Select Committee to scrutinise pending measures in the light of ECHR rights, and advise Parliament about compliance with the UK's obligations under the international human rights codes.

One key commitment is to establish a Human Rights Commission to provide well-targeted and cost-effective advice and assistance to law centres, Citizens Advice Bureaux, and others in bringing human rights cases. It will improve access to justice at minimal cost. It will also enable the Home Secretary to rationalise the plethora of existing commissions, tackling gender, racial, religious and disability discrimination. The time is overdue to strengthen law enforcement and reduce wasteful duplication, bringing the expertise of these agencies under the umbrella of a Human Rights and Equal Opportunity Commission.

Incorporating the Convention is a necessary condition for other constitutional reforms, including the sharing of power with a Scottish parliament, a Welsh assembly, and English regional assemblies. Incorporation is the crucial first step towards a more comprehensive British Bill of Rights.

The new Parliament will have the opportunity to implement an ambitious programme of constitutional reforms, including a Freedom of Information Act, the reform of both Houses, and the introduction of an electoral system that more fairly represents the wishes of the voters in European, national, regional and local elections. If they are to endure, these reforms must be in line with British traditions and based on a wide popular consensus. I hope and believe that Tony Blair's Government will maintain the momentum, and will have the necessary political will and skill, a combination of principle and common sense.

Lord Lester of Herne Hill QC is a constitutional and human rights lawyer. He takes the Liberal Democrat whip in the Lords.

There is glimmering along the corridors of power



"TONY, I'M WONDERING IF THIS ISN'T SOMETHING OF AN OWN GOAL..."

Exhausted volcanoes

A caretaker would give dejected Tories time to find a leader worthy of Blair

Their first fortnight out of office has been a disaster for the Conservatives. John Major has resigned, but is still technically leader of the party. He probably thought that the surviving Members of Parliament would move rapidly to elect Michael Heseltine as his successor, but Mr Heseltine's illness made him withdraw. The six "not him" candidates were left, and they are getting "notter" by the day. The surviving Tory MPs, who in any case are an absurdly unrepresentative constituency, do not want Kenneth Clarke because he is in favour of the euro, William Hague because he is too young and too Majorish, Peter Lilley because they think he lacks charisma, Stephen Dorrell because he is not as charismatic as Mr Lilley, Michael Howard because they believe everything that Ann Widdecombe has said even if they do not think she should have said it or John Redwood, because he was the Cassandra of the party, and correctly warned of the fall of the Tories. There is now every possibility that a rump electorate, in a state of shock, will choose a leader in whom they have no confidence.

Whoever becomes leader, the statistical probability is that Labour will win the next election. In recent British political history, the cycle of disillusionment has normally been a two-term one. Since the Second World War there have been six second-term elections: the incumbent Government has won five of them, four by an increased majority. Ted Heath's defeat in 1974, during the miners' strike, was the only exception. Tony Blair has the largest majority since 1931 and has dropped the unpopularity of socialism and high personal taxation. He is a very good campaigner. Whatever the Conservatives do, he will probably win the next election.

Many Conservative Members of Parliament see this only too clearly. They do not want to commit themselves to a leader who would not be able to challenge Tony Blair, who might be brushed aside. They doubt whether any of the present candidates could unite the party, and they fear that an unsuccessful leader might himself be subject to a mid-term challenge. They do not want to elect the Conservative equivalent of Neil Kinnock. They are also conscious of the inadequacy of their position. No representative of Scotland, no representative of Wales,

none from most of the big cities outside London, none from some of the English regions — it is not an adequate electorate. They also find it hard to choose a new leader when they do not know what policy the Conservative Party will wish to support. How Eurosceptic is the Tory party? How Euro-sceptic are the potential leaders? They all voted for Maastricht and against a Maastricht referendum, even John Redwood. William Hague is against the single currency, but he has the disturbing support of Tristram Carew-Jones. Tristram's support is a gift to William's opponents.

No doubt the MPs do trust John Redwood's Euroscepticism, but few of them think that he has the personal appeal to be electable as Prime Minister. In any case, they wonder whether Europe will be the same issue in five years' time. Even this month's French elections could change the whole future pattern of European events.

Not surprisingly, there is a growing number arguing for delay. Their case is a strong one. They are not satisfied that any of the present candidates will be adequate to fight the next election. They do not think that so small a surviving group of Conservative members is entitled to elect the leader. They want at least some exploration of policy. They would also like to see the leadership candidates performing in opposition.

There is also the question of the missing candidate. On the morning of polling day, Peter Lilley, who seems to be emerging as the strongest candidate of the Right, was not contemplating the idea of standing himself. He was probably expecting to become Michael Portillo's equivalent of Gordon Brown, the Shadow Chancellor, ally and senior policy maker rather than the leader. Even now, I do not suppose that Mr Lilley thinks that he has Mr Portillo's breadth of leadership gifts.

A Portillo-Lilley team might well have won the leadership battle for the Right, but the electors of Enfield have decided otherwise. The other missing

candidate is Chris Patten. Many people regard him as the only Tory leader who could win back the Centre, who has a chance of beating Tony Blair at the next election. He is certainly the only contender with personal experience of the revolution in Asia which has transformed the world economy. He even has a unique credential for dealing with Europe.

In Hong Kong, whether his policy was right or wrong, he has the stature and courage to stand up to China. He is a real Democrat. A man of opportunity for aggressive opposition, an impartial senior figure who can stand up for British interests in Europe.

If Michael Portillo is the big man of the Right, Chris Patten is the big man of the Centre. Neither is in this Parliament. There were originally four potential candidates of prime ministerial stature, Heseltine, Portillo, Clarke and Patten. Mr Heseltine has been eliminated by his illness, Mr Portillo by losing his seat, Mr Clarke by his policy on the euro and Mr Patten because he has to serve another six weeks in Hong Kong. As a result, none of them will become leader if the "sprink" procedure is followed. The "sprink" candidates are able men but they belong to the B team.

There are two questions to be asked. Is it possible to arrange a delay — which some Members believe should last into next year — to give the Conservatives time to get their decisions right? What ought the electorate to be?

The present leader, John Major, and the 1922 Committee, when the executive has been elected, have full constitutional powers to decide the form and timing of the leadership election.

Even in the old days of the magic circle, the leader was nominally elected by Conservative Members of Parliament. Conservative candidates and Conservative peers. In 1957, as the candidate for Chester-le-Street, I attended the election of Harold Macmillan in Church House, Westminster, and abstained from voting for him because of his conduct over

Spain. The nominal electorate in the 1950s was wider than it is now.

There might well be a need for an interim leader. John Major could be asked to go on for a fixed time until the election arrangements had been made. He still has great goodwill in the party, but he is unlikely to be willing to do it this last service. It would also be possible to have an acting leader to do what needs to be done in the next six to 12 months.

John MacGregor, who is talked of as the next Chairman of the 1922 Committee, was an excellent and fair-minded Leader of the House. He would do this interim job very well. There are also other experienced former Cabinet Ministers. The first year of a landslide Parliament is not a time of opportunity for aggressive opposition: an impartial senior figure may be what the party needs.

In constitutional terms, the Tory party ought to democratise itself. The leader should be directly elected by the whole membership of the party. "One man, one vote" is a better principle than "one MP, one vote".

On a Democracy, Ompov is an oligarchy. In practical political terms, the Conservative Party should use the next year to revive the membership, to revive public interest, to debate the issues which were difficult to debate in government, and to elect a leader with authority. There is no authority equal to that of a majority in a nationwide contest. In any case, the Conservative Party must represent the whole United Kingdom, but all of its present Members of Parliament are drawn from England.

Such an election would show that the party is capable of reconstructing itself. I find that every Conservative I meet, in the constituencies or in Parliament, is convinced that such a reconstruction is necessary.

If the Tories are to have any chance of holding Labour to a single term, there must be a root and branch modernisation of their organisation, their policies and their leaders. It should be done from the ground upwards, not from the top down. A general election for the leadership, with all the strongest candidates available, would take time, but would be the best possible way to start the recovery. In defeat, the Conservatives should go back to the root principle of democratic politics: "Trust the People."

William Rees-Mogg

In power, not just in office

Peter Riddell on a Queen's Speech for a second term

The Queen's Speech was unusually long, but one crucial sentence was missing: "All these measures are intended to secure the re-election of my Government at the end of this Parliament." The underlying strategy is to show that Labour can be trusted in office, that it can help improve ordinary people's lives and that it should be re-elected to a second term. That explains both the desire for centralised Downing Street direction of strategy and Tony Blair's constant refrain: "We were elected as new Labour, we intend to govern as new Labour."

In this respect, the Queen's Speech is, in fashionable jargon, the Russian statement of "new" Labour. The balance of measures is very different from the opening Queen's Speeches of the three previous Labour governments since 1945. There are no proposals for big extensions to the public sector or in trade union rights. Apart from the national minimum wage, there is no mention of union legislation. There are more measures to help business.

A striking feature is how much the Blair Government has accepted the economic and industrial framework created by the Tories since 1979. Few Bills are aimed at reversing recent policies, notably those on ending the internal market in the NHS and the assisted-places scheme. Many other Bills — on education, crime, the private finance initiative in the NHS, data protection and competition — could have come from Tory ministers. In many ways, David Blunkett on schools and Jack Straw on young offenders have outflanked the Tories on their own ground.

The most radical proposals are the half-dozen constitutional Bills, on devolution in Scotland and Wales, incorporation of the European Convention on Human Rights into British law and a referendum on a directly elected strategic authority and mayor for London. Labour's record: Commons majority has removed the obstacles that might have existed to the passage of these Bills. The speech was given by Tony backbenchers to Mr Blair's speech in the Commons showed how demoralised and disoriented they still are.

The absence in this Queen's Speech of the promised Bill to remove the voting rights of hereditary peers is being used by ministers as a warning to the Lords to observe the so-called Salisbury convention and not to obstruct the principle of proposals included in the Labour manifesto. In the short term, the biggest changes could be in the working of the House of Commons itself through the wide-ranging review of procedure and the handling of Bills promised yesterday by Ann Taylor, the Leader of the Commons.

Otherwise, the Queen's Speech is longer on long-term promises than specific proposals. The most interesting feature of Mr Blair's campaigning speech yesterday was his comment that "we have reached the limit of the public's willingness simply to fund an unreformed welfare system through ever-higher taxes and spending". Frank Field has become the pivotal minister in the Government in his search for welfare reforms for the long term, including pensions.

The first real sign of the Government's ability to make a difference will come in the Budget in a few weeks with the promised windfall levy on the utilities and the youth unemployment package. Gordon Brown has shown his bones in his decision on transferring responsibility for interest rates to the Bank of England and there are already hints of more radical proposals.

The Government's fate will be determined less by yesterday's array of new Bills than by its ability to face three dilemmas. First, ministers will have to find more money for health and education without departmental spending ceilings for the next two years inherited from the Tories. This will involve both a reordering of spending within departments "to meet the priorities of investment, employment and opportunity", and an immediate examination of the allocation of spending between departments. That could turn into the key battle of the administration. Secondly, the Government will have to show that its job-creation measures are not offset by job-destroying proposals such as the minimum wage or new regulations associated with the social chapter. Mr Blair is on the side of promoting competitiveness — as signalled by his appointment of Sir David Simon of BP as minister for the single market — but there will be strong pressures in the other direction. Thirdly, the Government has to show how it can reconcile, and overcome, a sceptical public mood over Europe and take a leading role in the EU. The key here will be its attitude to monetary union.

Tony Blair clearly relishes power. He talked yesterday about the sense of release after all the years in opposition, of being able to take decisions at last. He sees the Queen's Speech as a first instalment of showing that Labour can be both trusted and radical. The Government has made a strong start. But the politics of celebration and gesture is coming to an end. Awkward and painful decisions will soon have to be taken.

Grand gesture

STRANGE calls have been going out from Downing Street for a piano. At Chappell, the music shop in Bond Street, they were telephoned earlier this week by one of Tony Blair's men asking for one to be delivered to the Prime Minister's residence. Not since Sir Edward Heath's tenancy has there been a piano permanently based at No 10.

There was something peculiar about the request, however. When



Heath's piano leaves No 10

Chappell asked whether they were being asked to loan the piano free of charge, or whether they would be paid, there was some hesitation at the other end. That was up to Chappell, said the caller, but they might care to bear in mind the free publicity they would receive from one of their trucks arriving in Downing Street. One problem, replied Chappell, their trucks did not bear their name, for obvious security reasons. They declined the offer to supply the instrument.

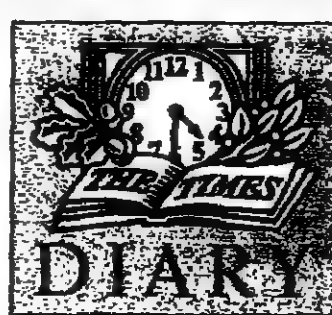
In the years since Heath, Steinway has provided pianos when required for one-off musical evenings. That company has not yet been approached. Images of the Blairs and their friends standing round the piano to sing *The Red Flag*, or Peter Mandelson's favourites from *Cabaret*, must, sadly, be put aside. According to Downing Street, the pianist in residence is Ewan Blair, the PM's 13-year-old son.

Lobbyists looking for an entrée into Blair's Forbidden City might be interested in a property just put up for sale in Trindon, Co Durham. The small terraced house costs a mere £8,750, less

than most corporate parties, and has the advantage of being one door down from the Prime Minister's constituency home, Myrbella.

Peter's friends

LADY Thatcher's intervention in the Tory leadership campaign cannot be far away now. Among her inner circle, the choice seems to be Peter Lilley. The PR merchant Sir Tim Bell has already come out for him, now her press secretary, the toweringly coiffed Elizabeth Buchanan, has signed up, too. Last, Angie Bray, who left her



post as a press officer at Conservative Central Office in horror when Lady Thatcher was toppled, and stood for East Ham at the general election, has also started working two days a week for the Lilley-putions.

Rubber bullet

INSECURITY is plaguing Roger Law, co-creator of *Spitting Image*. He has accused the Queen of acting out of pique at her *Spitting Image* puppet. Earlier this year, the Royal Mail asked Law to submit stamp designs to commemorate the centenary of Bram Stoker's *Dracula*. The images, which must be approved by the Queen, were rejected without explanation. Another set of designs featuring the comedian Tommy Cooper which he was asked to submit were

also thrown out. The Royal Mail dismisses talk of a conspiracy. Law, however, is insistent: "The Queen made it clear to a friend of mine from the Royal Academy who had dinner with her recently that she did not like her puppet at all. You think maybe it's just bad luck, but when the Tommy Cooper ones were knocked back as well, I began to think there was a link."

Harold Pinter's moment of European glory has been sullied by the French press. At the *Théâtre des Champs-Élysées* on Monday evening, Pinter was presented with the highly prized Molière statuette in recognition of his work as a playwright. But the French newspaper *Le Figaro* said yesterday that Pinter lacked eloquence when he acknowledged the award, under a headline which said "Nobody is perfect".

Ice mess

THERE is concern for the health of the orchestra playing in the Disney musical *Beauty and the Beast* which opened in London on Tuesday. On several occasions during the premiere, the players in the pit disappeared under the dry ice billowing from the stage. "It can be a real problem," said a crotchety Alexander, the conductor. "I stand



Unstuck: Roger Law

with my head level with the stage and when the dry ice flows off the edge I can't see a thing. Sometimes it's difficult to breathe."

The problem is one of temperature, my physicist friends tell me. The more people in the theatre, the warmer it gets and the more the dry ice expands. Not that this is of any consolation to the woodwind.

P.H.S



THE QUEEN'S BUSINESS

Labour proposes and the Tories wonder how to oppose

Even a fortnight on, it takes time for a parliamentary observer to become accustomed to the new dispensation. There was John Major asking questions instead of answering them. There was a leader of the Tory Party complaining that, under the new regime, monetary policy would be too rigorous. The sense of novelty was compounded by the mass of measures coming from the benches to the Speaker's right that would have been unthinkable under the previous administration.

Some of these, such as incorporation of the European Convention on Human Rights or devolution of power, are not inconsistent with Conservative policy; indeed Tories have argued for them in the past. But they were policies vigorously opposed by two successive Prime Ministers and had no chance until now of becoming law. Others, such as the phasing out assisted places or the banning tobacco advertisements, are wholly un-Conservative. In both cases, there is a sense that the direction of the country has changed, confounding those who argued during the election campaign that the result would make no difference.

The constitutional reforms proposed will bring sweeping changes to the governance of Britain — its nations, regions and capital — as well as giving more power to the citizen against the State. A Freedom of Information Act, which we hope will follow this session's White Paper, should add to the protection of the individual against government excess.

It is not just the content of the legislation that makes this Government quite different from the last. Mr Blair's massive majority means that the new laws are certain to pass, without his having constantly to trim or back down at the whim of recalcitrant backbenchers. After 18 years out of office, Labour ministers are fresher than their predecessors. Already Whitehall has been jolted by the speed and authority with which decisions

have been taken. If anything, Mr Blair now needs to slow down and consult more, particularly on reforms to the Commons itself.

The new Government's proposals to improve the scrutiny of Bills will be a useful bulwark against the temptations of an elective dictatorship. Some Bills will be published in draft form, allowing for amendments after consultation. The roll-over of unfinished Bills into the succeeding session will save Parliament's time and energy. We have yet to see the proposals to "strengthen the ability of MPs to make the Government answerable for their actions": if these are more than cosmetic, they will be welcome.

So will Mr Major's suggestion that his opposition will, where possible, be constructive. He cannot, of course, bind his successor, but the parliamentary arithmetic is such that the Conservatives can hope only to improve, not block, legislation. Mr Major's undertaking to "welcome adventurous welfare reform", matching Mr Blair's evident intention to undertake such reform, may pave the way for some of the most significant government actions of this Parliament.

At the dispatch box, the new Prime Minister was as confident as his opponent was dignified and effective. But the Conservatives are still not sure whether to criticise Labour for stealing their policies or for proposing laws that are dangerous.

To the former, Mr Blair can argue that the Tories failed to enact those policies despite 18 years in government. To the latter, the Prime Minister will soon have the chance to offer concrete evidence. His programme addresses the main areas of public concern — education, health, law and order, the underclass and devolution. Some of the solutions, however, may well prove to be flawed. By the end of this Parliament, Tories and Labour will no longer be arguing about conjecture. There will be facts to support or undermine their cases.

THE END OF ONE ALLIANCE

And the beginning of a difficult new era in European security.

The deal setting out a special relationship between Nato and Russia reached yesterday has the potential to lessen the strategic risk accompanying Nato enlargement to Central Europe. This, however, is at some cost to Nato's cohesiveness as a military alliance.

This cost must be born as the price of an ill-judged decision. The alternative, a fearful Russia determined to reverse what it perceives as humiliation by the West, could inflict still greater damage to the Continent's security. Against a background of deep domestic hostility to a development that Russia is powerless to prevent, Yevgeny Primakov, the Russian Foreign Minister, has made the best of a bad job. Were it not that Javier Solana, the Nato Secretary-General, persists in believing that enlargement will lead the West into sunny upland pastures, he would deserve similar credit for a tough negotiation.

The detail matters less than Nato's formal acknowledgement that Russia must be engaged in the management of European security. This is an important shift in the direction of making Nato not just a military alliance but a system of collective security. Whether it can be both and keep its military teeth sharp remains to be seen; but as we have argued, enlargement was in any case bound not only to lessen Nato's military readiness in the short term, but to dilute Nato's credibility as a deterrent force. Enlargement is a political leap of faith, not the product of hardheaded military calculus.

The Nato Russia Act, scheduled for signature in Paris on May 27, will give Russia full consultation rights with Nato through a Nato Russia Council which will hold regular meetings and be backed by its own organisation. Washington calls this "a voice not a veto", allowing for the maximum possible consultation and joint decision-taking. President Yeltsin can and will present this as a deal establishing consensus between Nato and Russia on all important security issues.

one that admits, in Mr Primakov's words, that "there should be one security for all".

That is not strictly true. The defence of Alliance territory will continue to be a matter for the Nato Council. But the Nato machine will be more open than it is now. In discussing policy and doctrine, some of the candour that comes from confidence in tight security may be lost. But the deal also imposes obligations on Russia. Just as Nato will tell Russia of any major redeployments, so Russia is required to do the same.

The deal is not, as Russia wanted, in treaty form; as the Russians well understand, the Nato Russia Act is not even legally binding. In substance as well as form, Moscow obtained far less than it wanted with regard to Nato enlargement. On the positioning of nuclear weapons and the deployment of substantial Nato forces in the new member states, Nato has refused the guarantees Russia sought, offering only its "no intention, no plan, no reason" formula. The text will, however, contain a Nato undertaking that the infrastructure in these countries will reflect this formula; airfields will be adapted for rapid deployment, military equipment standardised and forces integrated into the Nato command structure, but there will be no construction of large military bases.

The hardest job is yet to come. Poland, the Czech Republic and Hungary, the countries most likely to join Nato in 1999, must be told at the Madrid summit in July that so far from membership freeing them from thinking about Russia, they must be especially active in building bridges to Moscow. Mr Yeltsin needs more than a piece of paper to convince Russians that Nato has not stabbed them in the back. Confidence-building will be the work of a generation. It must now be made to succeed; for at the end of that period, historians may cite yesterday as the date when the West unintentionally began to dismantle the North Atlantic Alliance.

DUCA E DONNA

Covent Garden stages its own plot of rivalry and revenge

Scene: a building site in Bow Street. Giant cranes labelled "Royal Opera House" fly overhead. Enter stage right a chorus of sycophantic courtiers in evening dress and opera cloaks, singing softly *Zitti, zitti, moviamo a privilegio!* "Cover up, cover up, that's the refrain." While our cosy cultural perks we seek to maintain! Enter stage left a chorus of militant stage-hands in overalls. They sing the union chorus, *Che del lavatore i giorni abbella?* "What makes the worker's life with pleasure abounding? Over time and touring allowances astounding." If Duca di Chadrington (tenor) sings his "fickle" aria *Quella o quella per me parsoni* "This one or that one, Geny or Mary Allen: I find one woman as charmingly executive as the next, and hate the thought of constancy." He is accompanied by his court assassin, Sparafucile Cooper (bass), with his leitmotiv *Lei e l'assassina* "You're fired. Due to ill health. You'd better believe it. And if you want your severance payment, don't talk to the press." Isaacotto, his court jester, sings: *Dek non parlare al misero*. "Speak not of one for whose loss to us, All ENO as substitute never suffices." For Genista wanted to take opera to the populace! And at the same time cut ticket prices. *Corrigiani, vil razza dannata!* "Vile courtiers and opera toffs, having been awarded all those millions of

National Lottery money for your redevelopment, surely you can no longer run Britain's most highly subsidised culture-palace as a posh private club for corporate hospitality."

Sparafucile stabs Genista McIntosh in the back and puts her in a sack, *Per malattia*. "Due to ill-health!" She sings, "Covent Garden shall remain a national flagship of excellence. But it must discover some sort of social relevance in this day and age." Mary Allen (mezzo-soprano), Genista's rival and replacement, sings the beautiful aria *Caro nome che il mio cor*, "How dear the name of ROH, how entrancing its operas, how delightful its ballets, even Freudian Anastasia (and historical characters rarely work in ballet), but how awful its administration, how snobbish its public relations, how old Labour the management of its human resources." The Duke sings *La donna e mobile*, "How fickle women are, fleeing as falling star! Changing for ever. Constant, ah! never! But may Lady Vivien never abandon us, to take her millions elsewhere." There will now be a short interval of two-a-half, or it may be five years. After that there might be a surprise finale if the present cast showed any sign of being able to run a professional opera house as easily as they can arrange a royal gala performance or a fracas in a crush bar.

Slow to deal with legal complaints

From Mr Arnold Rosen

Sir, Mr H. P. K. Bradley (letter, May 9) is only the latest in a long line of critics of the Law Society and the way its council supervises the conduct of solicitors.

Over the last decade the profession has poured well over £60 million into policing the profession, yet the council has the same number of members now as it had in 1939. My experience (representing both members of the public as well as solicitors in disciplinary cases) convinces me that it has failed the profession and the public, and that Parliament should take the regulation of solicitors away from the Law Society.

Mr Bradley's suspicion that "Joe Public" will become so disenchanted (by delays) that they drop charges is more widespread than your readers may realise. A client of my firm was the recipient earlier this year of compensation imposed against the Law Society by the legal services ombudsman as a fine for its misconduct of a complaint.

The current director of the Office for the Supervision of Solicitors (formerly the Solicitors Complaints Bureau) — its third in seven years — is approaching the end of his first year: the only apparent change is a strike by his staff. I also have direct evidence of the disclosure of the content of an OSS file to "outsiders" in a public house in late 1996.

Of one thing Mr Bradley may be certain: his complaint will rapidly come to the "top of the pile" as a result of the publication of his letter by *The Times*.

Yours etc,
ARNOLD ROSEN,
Arnold Rosen & Co (solicitors),
199 Piccadilly, W1,
May 12.

From the Director of the Office for the Supervision of Solicitors

Sir, I am the first to acknowledge that my staff are battling with a heavy workload and that there is a real problem with delay in the complaints handling system.

Delay was a problem for the Solicitors Complaints Bureau and a major factor which led to its disestablishment. With the launch of the OSS on September 1, 1996, we committed ourselves to combating delay and to dealing swiftly and effectively with the complaints we received.

Our success, in the short term, has been limited; but we are determined that as we review our working practices, set performance targets and develop our business plan our customers will begin to see marked improvements in our service.

Contrary to the suspicion expressed by Mr Bradley in his letter, delay is not a tool we use to make people drop their complaints: it is often the result of a necessarily lengthy and thorough investigation. In those cases where it is unnecessary we shall be doing our best to ensure that it becomes a thing of the past.

Meanwhile, I have reviewed Mr Bradley's case and am satisfied that my staff kept him informed of the developments in our investigation and acted in his best interest throughout.

Yours faithfully,
PETER ROSS,
Director,
Office for the Supervision of Solicitors,
Victoria Court, 8 Dornier Place,
Leamington Spa, Warwickshire,
May 12.

When to prosecute

From the Chief Crown Prosecutor, CPS Humber

Sir, Mr Michael Gould (letter, May 12), referring to alleged frauds at Sheffield City Council, asks whether the Crown Prosecution Service in Sheffield does not regard it as in the public interest to prosecute in such cases.

The CPS regards fraud by public employees as a serious crime. If there is sufficient evidence the public interest will almost inevitably require a prosecution.

However, in this case the police have not sought advice from CPS. They are not obliged to do so. If they had, they would have been told that the CPS prosecutes in the public interest and the attitude of an employer would not be a decisive factor in the decision to prosecute.

Yours faithfully,
DONALD ADAMS,
Chief Crown Prosecutor,
Greenfield House,
39 Scotland Street,
Sheffield, South Yorkshire,
May 12.

Conflict in Zaire

From Mr Anil Savjani

Sir, I am waiting with eyes peeled to spot the precise moment when Laurent Kabila and his men will stop being referred to as "rebels" (report, May 14).

Yours etc,
A SAVJANI,
38 Morley Crescent West,
Stammore, Middlesex,
May 14.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Election 97: where did the Tories go?

From Dr Charles Pattie and Professor Ron Johnston

Sir, Garrett Fitzgerald's analysis of Labour's recent general election victory ("The Tories who stayed at home", May 12) uses the net data on votes won to suggest that relatively few 1992 Conservative voters switched their allegiance to Labour in 1997, whereas many more abstained.

Our early research on all 1992-97 voting movements sustains his case. Using Gallup data on voting intentions in 1997 and reported vote in 1992, we have estimated that fully 25 per cent of the 14 million people who voted Conservative in 1992 did not do so again in 1997 — they had either left the electorate or abstained. About 9 per cent (1.25 million voters) probably switched their support to Labour (less than 2,000 voters per constituency, on average).

In addition to these gains, Labour retained the support of at least 80 per cent of those who voted for the party in 1992 (the Conservative figure was 57 per cent, and that for the Liberal Democrats 59 per cent). It won over just under 900,000 who voted Liberal Democrat in 1992 and 1.8 million from those who did not vote then, the first-time voters in 1997, plus those who abstained in 1992.

Further work may refine these figures somewhat, but the overall pattern is clear: Labour's landslide victory was won with no more than 3 per cent of the electorate transferring their vote from the incumbent party to its main challenger.

It has always been thus: British elections are won and lost because of changes in the voting decisions of relatively few people in a few places.

Yours etc,
C. J. PATTIE,
University of Sheffield,
Department of Geography,
R. J. JOHNSTON,
University of Bristol,
Department of Geography,
University Road, Bristol,
May 12.

From the Chairman of MORI

Sir, Garrett Fitzgerald's otherwise most interesting analysis includes one assumption that cannot go unchallenged, that most Referendum Party votes came from former Conservative voters.

In fact, as measured throughout the campaign and confirmed in aggregate analysis of voting behaviour (based on more than 13,000 interviews), barely

Where credit's due

From Mr Carlos Larrea

Sir, The Labour Party had little choice in the Thatcher era but to modify itself, but Mr Kyle (letter, May 10) need not wait for the Prime Minister to thank Baroness Thatcher for that.

The insecure at work, those who find only low-paid, temporary or part-time work, the thousands of homeless, the countless unemployed, the millions who have been reduced to living below the poverty line, those who have lost their businesses and homes and the many more who became victims of the Baroness's visionary and zealous reforms can do the thanking instead.

Yours faithfully,
CARLOS LARREA,
15 Glenaele Road, SW16,
May 10.

Tory leadership

From Mr Christopher Belton

Sir, What a thoroughly nauseating spectacle some contenders for the Tory leadership are presenting to the public. I find it astonishing that they seem unaware that they are presenting with proof — if it were needed — of how wise we were not to re-elect them.

I have the honour to be, Sir, your obedient servant,
CHRISTOPHER BELTON,
45 Heathfield Green,
Midhurst, West Sussex,
May 14.

Blooming bluebells

From Mr Brian Parker

Sir, The fine display of bluebells in a wider part of my garden prompts me to read again your recent Science Briefing ("Don't tread on the bluebells", April 28; see also letter, May 1) on the susceptibility of bluebells to the tread of feet. It concludes that these plants are easily damaged and their sustainability is threatened by trampling.

I find it difficult to believe. In my drive unwanted bluebells appear year on year, thrusting up through compacted shale and stone chippings. They are subject to the occasional car tyre, trampling feet, path-clearing chemicals and being chopped back with a spade. But none of this makes any difference; they come up again as vigorously as ever.

As a result of your article, I think I will not take the spade to them this year but collect the seed for distribution to those disappointed with their weaker specimens.

Yours sincerely,
B. H. PARKER,
Rook House,
Victoria Road,
Dartmouth, Devon,
May 14.

half (about 420,000) of their 810,000 votes came from former Tories. The remainder came from other parties (91,000 from Labour and 123,000 from Liberal Democrats) and those who did not vote in 1992.

Yours faithfully,
ROBERT M. WORCESTER,
Chairman,
MORI,
32 Old Queen Street, SW1,
May 12.

From Dr M. J. Goldacre

Sir, The Conservative Party's electoral appeal at individual constituency level was even lower than its loss of seats suggests. Only five seats in the whole United Kingdom were won by Conservatives with 51 per cent or more of the votes cast: the highest was Huntingdon (55 per cent). Another nine Conservatives won with 50 per cent of the vote, but all the rest of the Conservative victors won with fewer than half the votes cast in their constituencies.

As a comparison, 300 of the MPs of other parties in England, Wales and Scotland won with half or more of the votes cast.

Yours faithfully,
MICHAEL GOLDACRE,
83 Rose Hill, Oxford,
May 12.

From Dr D. G. Guild

Sir, Mr Bernard Buckle (letter, May 6) has got his figures the wrong way round: the Tories got 17 per cent of the votes cast in Scotland and no seats, the SNP got over 21 per cent of the vote and only six seats.

This was certainly an indictment of the first-past-the-post system. More-over the Lib Dems, foremost proponents of proportional voting, did well out of the system they condemn: they got ten seats with only 13 per cent of the votes, less than the Tories. Labour won massively, drawing most of their strength from their central fiefdoms, some of which are little more than rotten boroughs.

Of course there were further anomalies — Labour holding Western Isles and winning Sir Russell Johnston's old seat of Inverness, Nairn and Lochaber. The case does seem to be made for some form of proportional voting.

Yours faithfully,
D. G. GUILD,
53 Grange Road, Edinburgh,
May 6.

And the good news

From Ms Lynn Mallet

Sir, In Valerie Groves's (as usual, excellent) interview with the splendid Frank Field (May 9) one quotation stands out: "Our aim must be to make [people] so happy that we can win their support for other people less fortunate."

Governments have tried, with great success, to keep us anxious, envious, guilty, insecure and running frantically to stay in the same place financially. Never have I heard one actually wish any of us happiness. The best of luck to Mr Field in this wholly admirable goal.

Yours, frankly amazed,
LYNN MALLET,
2 Playfair Mansions,
Queen's Club Gardens, W14,
May 11.

US perspective

From Commander John H. Bothwell, US Navy (ret)

Sir, Thirty years ago, while I was pursuing a course of graduate studies in political science in America, the perceived wisdom across the Pond was: Britain experiences her best government when a Labour programme is administered by the Tories.

Is this proposition about to be reversed?

Sincerely yours,
JOHN H. BOTHWELL,
79 Pheasant Walk, Oxford,
May 13.

Dotty dons?

From Professor George D. W. Smith, FRS

Sir, Shame on you for stereotyping Trinity dons as "the... most eccentric intellectuals of [the] generation" (leading article, May 5).

It is really so eccentric to recruit the most talented young people, regardless of their background, and to encourage them to reach their potential in academic, social and sporting terms? To cherish the beautiful surroundings we have inherited, and seek to erect 20th-century buildings of which future generations can be proud? To husband our resources, and pass on to our successors a healthy and flourishing institution?

If so, then I'm a little worried about what you would regard as "normal" behaviour.

Yours faithfully,
GEORGE SMITH
(Fellow),
Trinity College, Oxford,
May 5.

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

Drama at the Royal Opera

From Ms Genista McIntosh

Sir, I am extremely dismayed by the speculation which has followed my resignation from the Royal Opera House (article, Arts, May 14), and in particular at the entirely unfounded suggestion that there have been disagreements between the board and myself.

There have been no such disagreements, nor has there been any conflict with the Chairman, Lord Chiddingfold. On the contrary, I received enormous support and encouragement from him throughout my time as chief executive, for which I am deeply grateful, as I am for his personal kindness.

The decision to leave was mine alone. The statement issued by the Royal Opera House (report, May 14) tells all there is to tell.

Yours faithfully,
GENISTA MCINTOSH,
Royal Opera House,
Covent Garden, WC2,
May 14.

From the Chairman of the Arts Council

Sir, In commenting on the changes at the Royal Opera House, Rodney Milnes lumps me, and others, as "yesterday's men". He might also have pointed out that the Secretary of State, very much today's man, was informed by the Royal Opera House about their decision to waive their due process of selection in respect of Mary Allen as new chief executive. Given the nature of the emergency, he expressed a supportive view.

I too, believe the Royal Opera House was right as, though the loss of Mary Allen is a blow to her good work here, it will make this less difficult to handle than it otherwise might be.

Yours faithfully,
GOWRIE,
Chairman,
The Arts Council of England,
14 Great Peter Street, SW1,
May 14.

From Mr Christopher Joubert

Sir, When public bodies stop performing their functions properly, administrative (and sometimes legislative) action is needed to abolish or radically reform them.

I would say that it has now become blindingly obvious that the present organisation of the Royal Opera House is disastrous. The Secretary of State responsible for the arts should certainly take the decisive action characteristic of this Government in its first fortnight and, in Rodney Milnes's words "throw the whole lot of them out". In looking for a team to take over, he should consider radical alternatives.

Improved management is one of the objectives of the private finance initiative. The operation and maintenance of the ROH, including its refurbishment, would be an appropriate first task for a new team engaged under a reformed PFI.

Yours faithfully,
CHRISTOPHER JOUBERT,
48 Haydon Park Road,
Wimbledon, SW19,
May 14.

From Mr Raymond Gubbay

Sir, Your reports today surrounding the sudden departure of the Royal Opera House's chief executive after only a very few months suggest a sub-Verdian scenario of plotting and intrigue. If, as appears, the "hands-on" chairman and the board want nothing more than a gofer as their chief executive whilst they can indulge themselves in running a rather expensive toy, why does the new Heritage Secretary not take the opportunity of privatising the ROH and letting its board and its trust carry on as they wish with no public accountability and no subsidy?

Those who can afford to pay £150 or more for tickets will only be inconvenienced by having to pay a little more to make up for the lack of public money, and the millions saved by the Arts Council could be very usefully redeployed to support any number of orchestras, theatre companies and other groups around the country who must look askance at the latest antics in Floral Street whilst they themselves simply struggle to survive.

Yours faithfully,
RAYMOND GUBBAY
(Concert promoter),
Raymond Gubbay Limited,
176a High Street,
Barnet, Hertfordshire,
May 14.

Spoils of war

From Major Alvin Tull (ret)

Sir, Sally Trousdale should count herself lucky she is a civilian observer of her husband's passion for military correctness (letter, May 10). Times were for some of us that his wisdom had to be learned by heart and repeated on demand — often in foul weather on Salisbury Plain.

I would urge her to pay greater attention lest she be informed, as I was, that the term "career" meant going downhill out of control.

Treasure him, Sally, he's a great man.

Yours faithfully,
ALVIN TULL,
10 Careys Cottages,
Brockenhurst, Hampshire,
May 10.

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BUSINESS EDITOR Patience Wheatcroft

THURSDAY MAY 15 1997

Recount to go ahead as jobless tally falls

By Philip Barrett
INDUSTRIAL EDITOR

THE Government yesterday confirmed that it would review the official unemployment figures as it announced a further 59,400 drop in the number of people out of work and claiming benefit.

Labour has criticised the unemployment statistics as "fiddled figures", but in trying to improve them the Government runs the risk of presiding over a nominal rise in unemployment.

Despite that, as fore-shadowed in *The Times* this week, ministers yesterday announced a rapid review of the official figures, to be carried out by the Office for National Statistics.

Andrew Smith, Employment Minister, said if policies aimed at helping the unemployed to find jobs were to succeed, they had to be based on accurate statistics. He said: "Credibility must be restored to the official unemployment statistics. I very much welcome the opportunity to review this information through the announcement by the ONS of a public consultation on labour market statistics."

The ONS, which is already reviewing the presentation of the Government's unemployment figures, will use the opportunity of Mr Smith's announcement to re-argue the case for the monthly count of unemployed benefit claimants being supplemented by a monthly version of the statistically measured Labour Force Survey measure of unemployment.

Claimant unemployment dropped to a near seven-year low yesterday, the ONS said, with a 59,400 fall in seasonally adjusted claimant unemployment to 1,651,400, or 5.9 per cent of the workforce. The fall was the fourteenth successive monthly drop.

But earnings pressures eased as the increase in average earnings held steady at 4.5 per cent, after last month's figure was revised downwards by 0.5 percentage points.



Helen Liddell with, from left, Sir Andrew Large, Andrew Winkler and Colette Bowe, laid down the rules to life office chiefs and financial advisers

Green resolution makes Shell's board see red

By Carl Mortished

THE environmental lobby claimed a major victory yesterday when more than 10 per cent of investors in Shell voted for a radical overhaul of the oil company's stance on green issues.

At Shell's annual meeting in London they supported a resolution, sponsored by church groups, that called on Shell to improve the monitoring of its environmental performance and to conduct an external audit of its environmental policies. It was firmly opposed by the board.

The resolution, which was defeated by a margin of less than eight to one, is believed to have garnered support from employee trustees of pension funds and private shareholders. However, large insurance companies, including the Prudential, as well as leading fund management groups, are thought to have opposed it.

The oil company has been lobbying pension funds and

insurers. The argument between Shell and its critics has highlighted the growing conflict over the power of shareholders and the board's right to manage the company.

Shareholders who arrived at the packed annual meeting in Westminster were greeted by noisy supporters from environmental groups such as Friends of the Earth and supporters of the imprisoned Ogoni activists in Nigeria.

John Jennings, chairman of Shell's UK parent company, quickly issued a statement indicating that he shared the sentiments behind the resolution and said: "I also accept that external verification of performance is in principle desirable." However, he said it was inappropriate to seek external verification of board policies. "We have a problem in the concept of auditing policy. We cannot share this ultimate responsibility."

The resolution was sponsored by the Ecumenical Council for Corporate Respon-

sibility and other church-based groups which make up less than 1 per cent of the oil company's shares. It requested that a director be appointed to implement environmental policy; internal procedures to monitor policy; external review and audit of policies; regular reports to shareholders and a report on Nigeria.

The Rev John Hall, of the



Protesters claimed victory

ECCR, said supporters of the resolution were not hot-headed activists. "We are concerned that our company should do and be seen to be doing what is right. Our company should not be like a coal-effect fire assiduously polished by public relations consultants."

Referring to the board's opposition, he said: "This is a sledgehammer being used to crack a nut, but this soon has taken root and the landscape will be transformed."

A private shareholder asked the board why it was opposing the resolution when an audit of the Brent Spar platform had been a success for the company, resulting in a formal apology and retraction from Greenpeace of its allegations. Action by the TUC may have been crucial: the organisation requested that its panel of employee trustees cast their votes at the Shell AGM rather than leaving it to fund managers. An oil analyst at a leading stockbroker said he was get-

ting more calls from clients asking about the environmental policies of companies.

Pirc, the pension fund consultancy that became a thorn in the side of British Gas over boardroom pay, provided a platform for environmental groups. Anne Simpson, of Pirc, said the result was a success and that Pirc would continue to push Shell to adopt international environmental standards.

Commentary, page 27

Liddell warns pension firms

By Robert Miller

SENIOR executives from 28 firms that mis-sold personal pension plans were yesterday ordered by a government minister to report back to the Treasury within a month on plans to speed up compensation payments to more than 550,000 victims.

Helen Liddell, Economic Secretary to the Treasury, told the leaders of the life offices and independent advisers that delays in compensating investors were "simply unacceptable". She added: "It is the ordinary man or woman in the street who is being hurt by their foot-dragging."

In a tense 20-minute Whitehall meeting yesterday, Mr Liddell, sitting with Sir Andrew Large and Andrew Winkler, the chairman and the chief executive of the Securities and Investments Board (SIB), the chief city watchdog, and Colette Bowe, head of the Personal Investment Authority, which is overseeing the £4 billion mis-selling review, laid down the rules.

The minister warned the life offices that if they were unable to convince the Treasury of their "sincerity" in completing the review, the Government will "take their conduct into account in its reform of financial services regulation". This could lead to a much tougher disciplinary regime as well as exclusion from taking part in the expected multibillion-pound market of long-term retirement and healthcare plans.

The first step in the planned legal reforms is expected to be the announcement shortly of a new SIB chairman to replace Sir Andrew, who stands down at the end of July. The new SIB chief will then oversee the creation of one overarching City regulator prior to new financial services legislation.

Commentary, page 27

BUSINESS TODAY

STOCK MARKET INDICES

FTSE 100	4885.9	(-4.1)
FTSE All share	2228.79	(-1.87)
Nikkei	20205.72	(+80.61)
Dow Jones	7312.12	(+37.91)
S&P Composite	836.88	(+3.75)

US RATE

Federal Funds	5 1/4%	(5 1/4%)
Long Bond	96 3/8%	(96 3/8%)
Yield	8.88%	(8.92%)

LONDON MONEY

3-mth interbank	6 1/2%	(6 1/2%)
Life long gilt	114 1/2%	(114 1/2%)

STERLING

New York	1.8403	(1.8332)
London	1.8405	(1.8319)
DM	2.7887	(2.7897)
FF	9.3989	(9.3285)
Sfr	2.3631	(2.3445)
Yen	194.11	(194.19)
Index	103.1	(103.4)

DOLLAR

London	1.7000	(1.6935)
DM	5.7280	(5.7078)
Sfr	1.4390	(1.4360)
Yen	118.30	(118.60)
Index	103.1	(103.4)

NORTH SEA OIL

Brent 15-day (Jul)	\$19.25	(\$19.50)
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GOLD

London close	\$348.05	(\$348.05)
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* denotes midday trading price

Dillon Read talks fail

ADVANCED takeover talks between ING Barings and Dillon Read, the private US investment bank, broke down last night after a mystery bidder entered the fray with a higher offer.

The identity of the possible buyer is unclear but on Wall Street speculation had SBC Warburg emerging as the front-runner with NationsBank and Kleinwort Dresdner also interested.

Buoyant sales lift shares in Safeway

By Sarah Cunningham

SHARES in Safeway, the supermarket group, surged 7 per cent yesterday after it reported more buoyant than expected sales.

The company said it is to hire 1,600 extra staff for its new supermarkets in the next year at a cost of £10 million, together it is to take on 8,000 more staff over the next two years.

In the two March 29, total sales increased by 8.7 per cent to £7.07 billion, while at comparable stores, the increase was 4.7 per cent. The sector average is between 3

and 3.5 per cent. The shares, which fell sharply after a profit warning in February and which have remained weak on doubts about the company's trading performance, rose 23 1/2 p to close at 354 1/2 p.

Pre-tax profit last year fell to £420.6 million from £429.4 million. Earnings per share edged ahead from 26.4p to 26.8p and the final dividend of 9.7p (8.7p), payable on August 4, gives a full-year payout of 14.1p (12.75p).

Chains make gains, page 29

NI fraud campaign could breach human rights law

By Jason Nissey

PLANS to raise around £450 million a year through a crackdown on self-employed people not paying National Insurance are to be announced shortly by Harriet Harman, Secretary of State for Social Security.

However, the move could see the Department of Social Security breaching the European Convention on Human Rights, which the Government announced yesterday would be incorporated into British law.

Ms Harman will announce

that her department is to use the controversial data-matching provisions introduced in the Social Security Administration (Fraud) Act. This allows the DSS to cross-check the Inland Revenue's Schedule D returns from the self-employed with payment records at the Contributions Agency, part of the DSS.

According to *Computer Weekly*, the Revenue has already downloaded files into a system that can be matched with the agency's records. This will net an estimated 1.5

million self-employed who are not paying National Insurance, bringing in an estimated £450 million a year.

The move will be the first of a series of fraud crackdowns using powers in the Act that only became law in March.

However, Liberty, the civil liberties group, has obtained legal opinion that says use of the data-matching provisions would contravene the European Convention on Human Rights as it would allow a body other than the Revenue access to personal tax records

Airtours shares take off as bookings boom

By Jon Ashworth



Crossland: improvement

SHARES in Airtours, the tour operator, jumped sharply yesterday on the back of strong bookings, and a markedly improved financial performance.

The shares rose 30p, to 974 1/2 p, on word that summer bookings are 28.5 per cent up on 1996, compared with an increase of 14.3 per cent for the industry. The seasonal pre-tax loss narrowed to £12.7 million, from a £22.9 million loss, in the six months to March 31, on turnover up 34 per cent, to £518.4 million. Losses per share eased to 8.18p (loss: 16.17p). There is an interim dividend of 4p (3.25p). Full-priced UK brochure sales are well

ahead of 1996, leaving less stock to shift. UK bookings for winter 1997/1998 are 49.7 per cent ahead of last year.

David Crossland, chairman and chief executive, said there had been "significant improvement" in both the UK and Scandinavian markets. He added: "We have been able to take full advantage of these improvements and have continued the geographic expansion of our business."

The results include a full six months' trading from Simon Spies Holding, based in Scandinavia, and Alpa Tours International, of Canada.

Airtours has expanded aggressively to try to boost overseas earnings, and now derives close to half of its earnings from

abroad. It hopes to derive a third of earnings from the UK, a third from North America (largely Canada), and a third from the rest of the world.

Airtours and its 29 per cent shareholder, Carnival Corporation, an American cruise operator, have been cleared by competition authorities to proceed with the purchase of a shareable stake in Costa Crociere, an Italian cruise line. The companies are jointly expected to pay £168 million for a 57 per cent stake.

UK tour operations saw interim losses ease to £9.6 million (loss: £17.9 million), aided by better trading conditions in October, final month of the 1996 summer season, and a good start to winter.

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LABOUR'S BILLS FOR BUSINESS IN THE QUEEN'S SPEECH

In a dramatic shift from the old "beer and sandwiches" tradition, it has emerged that Tony Blair, the Prime Minister, consulted business leaders before writing the Queen's Speech but has yet to sit down with senior trade unionists since winning the election two weeks ago (Philip Bassett writes). In the speech yesterday, it was made clear that a "new

partnership with business" would be at the heart of Labour's plans "to build a modern and dynamic economy to improve the competitiveness of British industry". The Prime Minister's office held talks with a team from the Confederation of British Industry, led by Sir Colin Marshall, its president, and Adair Turner, Director-General, last Wednesday,

only the second full working day for the new Government. The Prime Minister said he looked for support from business to help to deliver Labour's programme in Government. The CBI presented to the Prime Minister and to Robin Cook, the Foreign Secretary, a three-page letter setting out technical issues for business arising from the Intergovernmental

Conference before the European Union summit in Amsterdam next month. The TUC confirmed that John Monks, its General Secretary, has not yet met Mr Blair for talks in Downing Street, though officials indicated they had spoken by telephone. The TUC said it was not overly concerned that Mr Blair had met business leaders before the unions.

'New deal' on jobs and low pay targeted

By Philip Bassett, Industrial Editor

THE Government's welfare-to-work plans and proposals for a national minimum wage are at the core of its employment programme outlined in the Queen's Speech.

A special Cabinet committee led by Gordon Brown, the Chancellor, and David Blunkett, Education and Employment Secretary, met yesterday to set the shape of the radical policies.

The Queen's Speech said the Government was pledged to "mount a fundamental attack upon youth and long-term unemployment" by bringing forward measures aimed at moving 250,000 young people off benefits and into work.

Developing a new line in agencies

THE Government intends to set up a string of regional development offices modelled on the Northern Development Company, which has lured 400 businesses to the North of England (Elizabeth Stephens writes).

Unlike the state-funded Scottish and Welsh development bodies, the NDC was set up on local initiative and is funded by business, trade unions, local government and colleges. Although the Scottish and Welsh quangos have attracted a stream of successful businesses, they have not been noted for their cost effectiveness.

After a consultation period this summer, a regional development budget will be created by redeploying funds from existing programmes. Bids will then be invited from local consortiums, and the agencies should be operating within two years.

financed by a one-off windfall levy on the "excess" profits of the privatised utilities.

Under the "new deal" on jobs, young people out of work for six months or more will be offered a private-sector job, with employers able to obtain a subsidy of £60 a week for six months; or a job in the voluntary sector; or a job with the Government's planned environmental task force; or full-time education or training. Long-term unemployed out of work for two or more years will also be helped by offering employers a subsidy of £75 a week for six months to take them on.

The Queen's Speech also made a pledge to set up a Low Pay Commission, to be headed by Peter Jarvis, retiring chief executive of Whitbread, and a recent convert to the idea of a minimum wage. It will be made up of employers, employees and independent experts and will meet on a non-statutory basis until its legal position is confirmed.

The Government will set a minimum wage level according to prevailing economic circumstances, after advice from the commission.

Rodney Bickerstaffe, general secretary of Unison, the biggest union which has long campaigned for a minimum wage, said that the measures were an excellent start. "For the first time we have a Government prepared to introduce a minimum wage and one which is going to tackle youth unemployment."

The Low Pay Unit pressure group said that six million full and part-time workers would benefit if the minimum wage was set at half male median earnings — which would mean £4.42 an hour — with the Exchequer set to gain £4 billion a year in benefit savings and increased tax and National Insurance receipts.



Margaret Beckett, President of the Board of Trade: involved in late payment legislation

Go-ahead for late-payment Bill

By Adam Jones

LABOUR'S pre-election drive to display itself as the party for small businesses was confirmed with a commitment in the Queen's Speech to introduce a statutory right to interest on late payments.

The Fair Payment of Commercial Debts Bill was widely expected, having been listed in the party's manifesto. The details have not been firmed up and will be thrashed out in consultations with business groups, many of whom are doubtful that legislation will improve the lot of small companies.

Thresholds will have to be agreed on the size of the company that is protected by

legislation, if it is not to be extended to all firms. It is likely that interest on recurring small debts will be able to be rolled into a bigger claim.

A deadline for claims will be set. The Forum of Private Business, which represents

24,000 companies and has twice drafted a sample Bill, said it wants companies to be able to claim outstanding interest for up to six years.

It said this would let smaller companies delay making a fuss until a time when it will

Blair hails Bank move

TONY BLAIR yesterday said that giving the Bank of England operational freedom is necessary because "the Government shouldn't be able to play politics with people's mortgages" (Alastair Murray writes). Mr Blair's comment came after a Bank of England Bill to let the Bank set interest rates on a month-to-month

basis, was included in the Queen's Speech. Under the reform, the Government will appoint four new members to the Bank's monetary policy committee, and a second deputy governor. A mini-Budget is expected on June 10. The main proposals for it are a windfall tax on utilities and a cut in VAT on fuel.

Consumers can sue over issues of competition

By Christine Buckley, Industrial Correspondent

CONSUMERS and businesses will have the right to sue companies over anti-competitive behaviour, and transgressors will face stiff fines in legal action by the Director-General of Fair Trading under a new Competition Bill. It will mark the first time companies will be liable to pay damages to their customers for anti-competitive action.

The Government believes that this, along with fines that can be levied by the OFT, will provide a stronger deterrent against competition transgressions.

The Bill, which will give the OFT tougher powers to investigate alleged transgressors, will move the UK into line with European competition law. Legislation will replace the Restrictive Trade Practices Act with a ban on anti-competitive agreements.

The level of fines and the legal processes by which they can be implemented will be looked at in a consultation led by Lord Bore. In a three-man team with John Vickers of Shell and Brian Sanderson of BP, Lord Bore will lead

talks with industry on how the bill can be enforced. An independent body will be established to hear appeals from companies facing punitive action.

not damage a trading relationship. Many business groups are worried that laws will be neutralised by the fear of losing business.

The OFT also wants late payers to have to publish the amount of interest they could be charged if the right to compensation was invoked. It said the extra auditing, fees and the public embarrassment would encourage punctuality.

The Department of Trade and Industry, headed by Margaret Beckett, President of the Board of Trade, confirmed yesterday that the legislation will not improve small companies' access to courts, a measure being sought by some opponents to legislation.

Brussels approves BT's £13bn deal

THE European Commission yesterday approved British Telecom's £13 billion takeover of MCI of America, the largest transatlantic merger, after the companies agreed to certain minor concessions. The merger, which will create a global powerhouse to compete with AT&T and Deutsche Telekom, still requires regulatory clearance in the US. This is expected in the autumn. BT and MCI met the Commission's conditions by agreeing to sell MCI's relatively small teleconferencing business in Britain. They also agreed to sell some capacity on their transatlantic submarine cables to other operators to avoid strengthening their dominant position in the US-to-UK call market.

The US Federal Communications Commission is expected to place tougher conditions on the BT-MCI merger. AT&T, America's largest long-distance phone company, has said the deal should not be approved unless BT can prove that the UK telecoms market does not discriminate against foreign competitors. The merged company, to be called Concord, will have headquarters in London and Washington and its shares will trade on the London and New York stock exchanges. BT will continue to trade under its own name in Britain.

BAA traffic grows 6%

A RUN of late Easter holidays helped BAA, the UK airport operator, to attract a 6 per cent increase in passenger volumes last month. More than eight million passengers went through BAA airports. Growth was led by Stansted Airport, which saw passenger traffic rise 7.3 per cent, with Heathrow Airport up 5.6 per cent on the strength of an upturn in European scheduled flights. Total tonnage of cargo rose 6.7 per cent compared with the same month of 1996. Shares in BAA gained 9½p to 539p, close to their best ever.

Airlines in \$42bn link-up

UNITED AIRLINES, Lufthansa, Thai Airways, Air Canada and SAS have joined forces to create a global alliance with combined sales of \$42.3 billion. Varig and South African Airways are tipped to join the so-called Star Alliance, which will feature code-sharing on flights. The news brought a swift response from American Airlines and British Airways, who urged their respective governments to approve their planned link-up. Opponents say the BA-AA alliance will create a stranglehold on key air routes between Europe and North America.

Vardey joins Fidelity

GILES VARDEY, the former director at the London Stock Exchange who lost out in the battle to succeed Michael Lawrence as chief executive last year, is to join Fidelity Brokerage Services as president and chief executive in June. The appointment is a coup for FBS, which recently reopened for business after a six-month ban and a £200,000 fine imposed by the Securities and Futures Authority. As head of markets development at the exchange, Mr Vardey did the groundwork for the electronic order book due to be introduced in October.

Utilitec predicts fall

UTILITEC, the water and gas measurement company, has warned it is in a plunge into the red just four weeks after raising £12 million on the market. The company, which changed its name from Croden-Bay after a reverse takeover by Technogal on April 17, said a delay in orders would leave a loss this year against the £800,000 profit expected by the market. Analysts now expect a loss of £1 million. Its shares, offered at 90p during the fundraising, slid 3p to 73½p. The London head office is being closed at a cost of £800,000.

Plea for water meters

THE water regulator has called for water companies to encourage greater use of meters. Ian Byatt said that charges for meters were too high in many areas in spite of "widespread" customer support for the principle of paying for water according to the amount of water you use. Mr Byatt forecast that more than one in ten customers would have a meter by the end of the year. The average cost of installation has halved since last year, to £33, according to the watchdog's report on water company tariffs. Twelve companies fit meters free.

BG announces oil find

BG EXPLORATION AND PRODUCTION, part of the former British Gas group, yesterday announced an oil discovery in the North Sea, but said that it was too early to give an estimate of the reserves. This was the first well to be drilled by BG Exploration and Production in this particular North Sea block, which is operated in conjunction with two other producers, Amerasia Hess and Rigel Petroleum. Planning work for an appraisal well is in progress. BG has extensive oil interests in the North Sea and internationally.

Caradon gives warning

CARADON, the building products company, warned that a triple whammy of the strong pound, a competitive American market and the lack of a contribution from businesses sold last year would hit first half profits in 1997. Anthony Hitchens, chairman, said that the group's businesses were nevertheless generally making progress. Caradon was forced into a radical restructuring, selling £220 million of non-core businesses. Yesterday shareholders approved a plan to hand back £174 million of the proceeds via a share buyback.

Reckitt remains robust

RECKITT & COLEMAN, the household products group, said that its performance in the first four months of this financial year remains robust although, as with other exporters, the strength of sterling remains an issue. Alan Dalby, chairman, told the annual meeting yesterday that he was confident that "the underlying momentum of 1996 will continue and the planned investments for brand development and growth will remain your board's priority". The positive words sent Reckitt's shares 10p higher to 90½p.

Horlick in line for £1m job

By Robert Miller

NICOLA HORLICK, the former Morgan Grenfell fund manager, could earn up to £1 million a year when he joins Société Générale, France's largest fund manager, in London.

Ms Horlick is to link up with John Richards, currently head of investment for UK institutions at Mercury Asset Management (MAM). The

two managers began their city careers at MAM 14 years ago and will now spearhead Société Générale's bid to become a leading player in the UK pension fund management business.

Mr Richards, 36, will be managing director of the new subsidiary which will start with £55 billion to look after. Ms Horlick, who was sus-

pended from her senior post at Morgan Grenfell amid allegations of staff poaching and subsequently left claiming constructive dismissal, yesterday declined to comment. A close friend of Ms Horlick said: "Nicola has a lot of options to consider. She feels that the Société Générale offer is the best one."

Patrick Pagni, chief execu-

tive of Société Générale UK and chairman of the new asset management arm, said he hoped to sign up Ms Horlick by mid-June.

M Pagni said: "We are prepared to pay market prices for the right staff but not over the top and we will invest solidly in the business so that we become a factor to be reckoned with in this sector."

Merrydown turns Two Dogs loose

By Alastair Murray

MERRYDOWN has been forced to pass distribution rights for Two Dogs, its aleopop brand, to Scottish & Newcastle after sales tumbled in the final quarter.

The cider company admitted that it had been unable to maintain distribution and provide sufficient advertising back-up in the increasingly competitive aleopop market. Scottish & Newcastle will buy Two Dogs from Merrydown, which continues to own the rights, and distribute and market the product itself.

Merrydown shares, which hit 140½p last year, fell more than 15 per cent to close at 75½p. Analysts cut full-year profit forecasts by about 40 per cent to £80,000.

Two Dogs started the craze for aleopops when it was launched two years ago. The brand remains the second-biggest seller but has lost ground rapidly to the market

leader, Hooper's Hooch, owned by Bass, and has been delisted by a number of off-trade outlets.

Merrydown said that it would now be able to concentrate on promoting its ciders and Schloer grape juice, and implementing a cost-cutting programme.



Two Dogs: changes ahead

Non-executives' pay soars

By Jon Ashworth

FEES paid to non-executive directors have risen by between 15 and 20 per cent in the past two years, and are set for further steep increases, according to a survey of more than 500 UK company chairmen.

The average remuneration for a non-executive director devoting 11 to 20 days a year to a company with turnover of £25 million or less is £12,800, up from £11,200 two years ago. Those devoting the same amount of time to a company with turnover of £2 billion or more earn £25,300, against £20,900 in 1994.

The average daily rate for a UK non-executive director is £900 to £1,500. Company chairmen expect fees to con-

time rising at about 10 per cent a year.

Yve Newbold, chief executive of Pro-Net, which specialises in non-executive recruitment, said that the rises were less excessive than they appeared, since they were from a relatively modest base.

Ms Newbold, former company secretary of Hanson, and a non-executive director of BT, said: "The job is getting harder, it's getting more complex for the non-executive, and we are spending more time on it."

In larger companies, the average number of days devoted per year by non-executives has risen from 16 to 27. The recommendations of

the Cadbury and Greenbury committees on corporate governance are now widely embraced by listed companies, according to the research. Non-executives now comprise half the board in companies of all sizes, on average, an increase on two years ago.

Looking ahead, 46 per cent of respondents favoured candidates with overseas experience, and 38 per cent favoured women candidates, of whom there remains a shortage.

Pro-Net jointly commissioned the survey with the Board for Chartered Accountants in Business, part of the Institute of Chartered Accountants in England and Wales.

	Bank	Sell
Australia \$	2.20	2.04
Austria Sch	35.25	35.00
Belgium F	23.50	23.50
Canada \$	2.384	2.259
Cyprus Cyp	0.670	0.603
Denmark Kr	11.15	10.82
France FF	6.81	6.81
Germany DM	3.81	3.71
Greece Dr	470	435
Hong Kong \$	15.40	12.27
India Ru	1.13	1.04
Ireland P	1.27	1.07
Italy Lit	2850	2850
Japan Yen	208.50	191.70
Netherlands Gld	0.669	0.669
New Zealand \$	2.715	2.698
Norway Kr	32.10	31.22
Portugal Esc	200.00	211.1
S Africa R	3.58	3.711
Spain Ptas	248.00	228.50
Sweden Kr	13.22	12.10
Switzerland Fr	2.21	2.170
Turkey Lira	217.75	218.77
USA \$	1.785	1.808

LEGAL & PUBLIC NOTICES

0171-782 7344

LEGAL NOTICES

ELECTRICITY NOTICES

Scottish Hydro-Electric plc

Notice of application for consent to construct a Combined Heat and Power Plant at Smeeth Townend Hook Paper Mill, Smeeth, Kent.

Notice is hereby given that Scottish Hydro-Electric plc has applied under section 36 of the Electricity Act 1989, for the consent of the Secretary of State for Trade and Industry to construct a Combined Heat and Power plant at the Smeeth Townend Hook Paper Mill, Smeeth, Kent and for a direction under section 90(2) of the Town and Country Planning Act 1990, that planning permission for the development be deemed to be granted.

Scottish Hydro-Electric plc has an agreement with Smeeth Townend Hook to develop a project with a view to building, owning and operating a Combined Heat and Power plant on land wholly within the Smeeth Townend Hook Paper Mill.

The Combined Heat and Power plant, which will be gas fired, would have an electrical output of up to 60MW and a steam output of 132 tons per hour and would replace existing plant which currently supplies the steam and electrical requirements of the Smeeth Townend Hook Paper Mill.

A copy of the application, with a plan showing the land to which it relates, together with a copy of the Environmental Statement and non-technical summary discussing the Company's proposals in more detail and presenting an analysis of the environmental implications, are available for inspection during normal office hours at the following addresses:

Tunbridge and Malling Council, The Air Station, West Malling, Kent
Kent County Council, Springfield, Maidstone, Kent
Smeeth Townend Hook Paper Mill, Smeeth, Kent

Copies of the Environmental Statement and Non-Technical Summary are also available for inspection at the public libraries at Smeeth and West Malling. In addition, copies of the Environmental Statement can be obtained from The Benn Willmore Planning Partnership, Interact House, 1 Colchester Lane, Cambridge, CB1 3EP, at a cost of £20 per copy.

Any objections should be made in writing to the Secretary of State for Trade and Industry, Electricity Division, Room 1.8.20, 1 Victoria Street, London, SW1H 0ET, stating the name of the objector and grounds of objection, not later than 20 June 1997.

NOTICE OF COLLECTION

NOTICE IS HEREBY GIVEN THAT I, S.D. SWAN, FCA, of 100, Strand, London WC2R 0AL, am appointed Liquidator of the above named Company by the Members and Creditors on 12th May 1997. Dated: 15th May 1997. S.D. Swan, Liquidator.

THE INSOLVENCY ACT 1986

NOTICE IS HEREBY GIVEN THAT I, PETER ADAMS, FCA, of 100, Strand, London WC2R 0AL, am appointed Liquidator of the above named Company by the Members and Creditors on 12th May 1997. Dated: 15th May 1997. Peter Adams, Liquidator.

THE INSOLVENCY ACT 1986

NOTICE IS HEREBY GIVEN THAT I, PETER ADAMS, FCA, of 100, Strand, London WC2R 0AL, am appointed Liquidator of the above named Company by the Members and Creditors on 12th May 1997. Dated: 15th May 1997. Peter Adams, Liquidator.

LEGAL, PUBLIC, COMPANY & PARLIAMENTARY NOTICES

TO PLACE NOTICES FOR THE SECTION PLEASE TELEPHONE 0171-782 7344 FAX: 0171-881 9313

Business ethics don't travel well



COMMENTARY
by our City Editor

Shell is not the evil corporate monster that the protesters would have us believe, but it must rank as a public relations disaster area. Only British Gas at its worst could challenge the oil giant's ability to incompetently handle criticism and spectacularly turn its detractors into heroes and its directors into incompetents. The fact that 11 per cent of Shell's shareholders were persuaded to vote against the company's board yesterday was a huge blow to the company and carries a strong message to industry generally. Not long ago it would have been unthinkable for the bulk of Shell's shares to have taken such a stand. But for the opposition to have reached that level means that some substantial funds voted for change. The grey men who run the institutional funds joined with small shareholders to deliver a drastic condemnation of the company.

They were responding to a powerful cocktail of clever lobbying from pressure groups and appalling arrogance and poor judgment from Shell. It was the same combination that turned Shell into an international pariah over its wish to dispose of the Brent Spar oil platform. In the end, Friends of the Earth had to admit that some of the allegations levelled against the company during that debacle had been ill-founded, but by then Shell had been indelibly marked as environmentally unsound. Its latest dispute centred on

environmental issues again, this time in Nigeria, and coupled with complicated criticisms of its attitude towards human rights. The company is probably no more blameworthy than most international giants on these scores and probably less so than many. However, its inept response has left it looking guilty and given the likes of the holier-than-thou Anita Roddick a chance to kick a multinational when it's down. Despite their colourful allegations, the protesters, led by the highly sophisticated Anne Simpson of PIRC, who makes a living out of engineering corporate discomf, sought to challenge the annual meeting on a relatively narrow point, asking for monitoring of Shell's environmental and human rights policies and external auditing.

Chairman John Jennings actually told the meeting that he shared the sentiments behind the resolution — a little more of that attitude earlier on might have averted a great deal of trouble. He was able, with some justification, to tell shareholders that the company has been publishing its statement of business principles for two decades, and remains proud of them. But external auditing was not on. That was not enough to appease the protesters. The demand for external auditing will grow, as a younger generation fired up over environmental issues and convinced that big business is exploitative overseas, becomes more vociferous.

What Shell avoided saying is that international companies from other countries, and Nigerian firms themselves, have rather lower standards than theirs. By what rules should international companies be judged? That is the question that should be vexing the business ethics consultants who are beginning to spring up and would love the profit opportunity of conducting regular ethical audits.

Let us be grateful that Shell's foot-in-mouth merchants did not try to grapple with that one.

Welfare to work is just the job

The medium was an elderly lady reading from a prepared script, but the message for the business world was

rather more dynamic. The new Government has often proclaimed its desire to work with business, but let there be no doubt on whose terms.

Among its plethora of planned legislation, the Queen's Speech contained several measures which have little or no business support but which are, none the less, to go ahead. The strictures of the social chapter and potential burden of a minimum wage will soon be felt in Britain.

There is to be a liability to interest on late payment of debts, even though the CBI and Institute of Directors oppose the move and small firms organisations are divided on its viability. Barbara Roche, the new small firms' nanny, believes it will be good for her charges.

Utilities will have to come to terms with a tighter regime and the long-heralded windfall tax will rob Peter to fund Tony and Gordon's welfare-to-work scheme. But if this scheme is to stand any chance of success, then edicts from on high will not

suffice, even with the backing of legislation. The admirable idea of taking out-of-work youngsters and the long-term unemployed and putting them usefully to work will not be accomplished without huge commitment from employers: tax rebates may not be enough to encourage them to take on unqualified staff.

Providing training for an increasingly sophisticated workplace is an expensive exercise, particularly when the raw material can be depressingly undereducated in the first place. There are examples of companies that have made tremendous efforts in this direction, and been rewarded with high productivity and cheering profits: the pioneering schemes at Unipart, the privately owned car parts business, have been remarkably successful.

But if other companies are to be persuaded to make welfare to work a reality, a concerted push by business leaders will be required. If the CBI and the InD really aim to have a constructive

relationship with the new Government, they should put what muscle they have behind the project, and companies should do likewise. Apart from the long-term benefits to the country, it would make constructive discussions on such fraught areas as competition policy and corporate taxation rather easier to achieve.

Perhaps the soon to be ennobled David Simon, with his well-spread portfolio, might find time to appraise his former colleagues in the world of big business of the merits of putting Labour's Big Idea into effect.

Littlewoods not yet out of the woods

Since James Ross took over as chairman of the Littlewoods Organisation, Britain's biggest privately owned company has had an exciting time. It has had an on-off-on deal with Sears to take over the Freemans mail order business, and set about selling its chain of high street stores. But buyers prepared to take on a portfolio of barely profitable down-market shops have not been rushing to agree a price of around £500 million. It seems that the company is now considering whether to shelve the total sale plan and

seek a joint venture partner to become involved in running some of the stores.

This would certainly appease members of the Littlewoods family, some of whom were known to be opposed to a break-up of the business with the inevitable consequent job losses. Staff at the Liverpool-based chain have a rather better long-service record than in many rival retail businesses and some family members, notably John Moores, a former chairman of the group, have been highly reluctant to see such loyalty jettisoned.

But if James Ross is to find a suitable joint-venture partner, he may need to cultivate a more accommodating style than he is said to have exhibited in his Sears talks. With Storehouse and Kingfisher both being cited as potential partners, the former Cable and Wireless chief will need all the negotiating skills he can muster.

Horlick watch

NICOLA HORLICK once opined that she must be the best known fund manager in the country. This is undeniably the case. It is debatable whether Société Générale deserves applause for its good sense in taking on such a high-profile individual or sympathy for what may ensue. But the firm would be well advised to ensure that doorkeepers at their head office in France see a photograph of the lady.

C&W faces delay in talks with China

By ERIC REGULY

CABLE and Wireless yesterday played down speculation that it would strike a deal with the Chinese Government over the future of Hongkong Telecom in time for the handover of the colony in July.

Dick Brown, chief executive, said: "There is no gun to our head... We don't feel compelled to be held to any date."

C&W hinted last month that it hoped to reach an agreement with the Chinese telecommunications authorities by July. The delay does not seem linked to any new hurdles. "We're talking in earnest," he said.

C&W owns 58.5 per cent of Hongkong Telecom — the most valuable company in its global portfolio. It generates about two thirds of C&W's operating profits and makes up about three quarters of its market capitalisation.

The Chinese, with 7.7 per cent of Hongkong Telecom, want C&W to reduce its stake

in the company. C&W is open to the idea, but wants better access to the vast Chinese telecoms market in return.

Lack of developments on the Hongkong Telecom front helped to push C&W shares down 14p to 498p. The City was also disappointed that the year-end results did not exceed forecasts. In the year to March 31, C&W reported a 12 per cent rise in pre-tax profits to £1.42 billion on record turnover of £7 billion, up 13 per cent. Earnings per share were 30.3p, up 15 per cent.

The results were driven by an 11 per cent rise in operating profit at Hongkong Telecom, to £998 million, and a 31 per cent increase in operating profits at Mercury Communications, which is seeing the benefits of cost cutting.

The results mark Mercury's final contribution to the group. In April, Mercury became part of Cable and Wireless Communications, the phone and cable group that is 53 per cent owned by C&W.

Profits in the UK were held back by losses of more than £100 million at One-2-One, the mobile phone company that it jointly owns with US West. C&W would like to buy US West's 50 per cent interest in One-2-One and add its operations to Cable and Wireless Communications.

A final dividend of 7.7p (6.92p) is due on September 1. This lifts the total payout 11 per cent to 11.1p.



Brown: no deadline

Tempus, page 28

Investment boosts CU profits

By ADAM JONES

FIRST quarter pre-tax profits at Commercial Union rose to £102 million (£83 million), the insurer reported yesterday.

The figure, boosted by a £54 million increase in the amount of money realised from investments, fell in the middle of expectations and shares fell from 749p to 736p by mid-afternoon, exacerbated by the illiquidity of the stock.

Life assurance operating profits were £58 million in the first quarter of 1996. Adjusting for exchange-rate movements, the company said there was a 27 to 28 per cent underlying growth rate in life and pensions.

General insurance operating profits rose from £64 million to £67 million. The company said mild weather in the US and improved profitability in France and Australia more than compensated for increased general insurance competition in the UK.

Overall, premium income after reinsurance fell from £2.47 billion to £2.38 billion. At March 31, the group had £12 billion under management.

Circle ends listing as bid agreed

By ERIC REGULY

CIRCLE Communications ended a brief and troubled stint as a public company yesterday by accepting a £9.8 million takeover offer from Southern Star of Australia.

The Southern Star group is to pay 75p a share in cash for Circle, a television and cinema rights company. The offer represents an 11 per cent premium to Circle's closing price on Tuesday.

Circle came to the Alternative Investment Market last July at 170p a share. The shares initially rose, then plunged in February when the company sent out a profits warning and announced the departure of its finance director. Circle blamed delays in completing programming.

Peter Clark, Circle's chief executive, said: "The merged group has the potential to be a major player in the international rights business."

Circle's acceptance of the offer came as it reported pre-tax profit of £713,000 (£1.1 million) in the year to December 31. The shares closed up 7p to 75p.

THINK BIG
WHO EVER
HEARD
OF ALEXANDER
THE
AVERAGE?

You've spotted an opportunity to grow. An acquisition of international companies. Where do you find the capital to realise your plans? At Circle we have 20 years' experience growing private businesses, and we are the UK's leading specialist source of investment capital for those businesses. To date, we've made more than 2500 payments to growing companies offering long-term help and support whenever needed. We're ready to help you succeed. So, whether your name is James, David, Benjamin or Alexander, if you

STOCK MARKET

CLARE STEWART

Safeway shines as market ends record-setting run

LONDON'S record-breaking run faltered yesterday. After surging above 4,700 in the morning, close to Tuesday's record levels, the market went into a sharp reverse as profit-taking and a futures-led retreat turned a 24-point gain into a 30-point deficit.

A strong opening on Wall Street, however, provided a valuable prop on a helter-skelter day. By the close, the FT-SE 100 had rallied to end just 4.1 points adrift, at 4,686.9.

Safeway led the FT-SE 100 with a rise of 23.5p, to 354.5p, after pleasing the City with better than expected like-for-like sales for the first six weeks of the year. More positive noises from brokers on the stock helped other groups in the sector, with Tesco adding 7p, to 387p, and Sainsbury edging up 2.5p, to 380.5p.

British Airways took off, rising 31p, to 742.5p, helped by expectations of approval for its American Airlines deal, boosted by news of a global alliance of United, British and Lufthansa.

BAA climbed 9.5p, to 539p, on April figures showing a 6 per cent increase in passengers, with more than eight million using its airports.

With the holiday season imminent, the City warmed to Airtours, which announced a 45 per cent drop in seasonal losses and strong summer bookings. The shares jumped 30.5p, to 974p, as analysts upgraded full-year forecasts.

BP saw some activity as rumours spread that the Kuwaiti Investment Office was looking to place its 9.3 per cent stake in the oil group. Nothing concrete emerged to support the suggestion, but BP ended 2p up, at 744.5p, with more than eight million shares traded. Shell shares ended 2.5p lower, at £11.54, after the company's stormy AGM.

Profit-taking and disappointment at a lack of further news on the future of its 59 per cent stake in Hongkong Telecom hit Cable & Wireless, 14p lower, at 498.5p. A 12 per cent rise in pre-tax profits, to £1.42 billion, was in line with expectations.

BT shares dipped 3p, to 449.5p, in spite of the European Commission giving conditional approval to the group's £12 billion merger with MCI to form the world's second-biggest telecom company.

Shares in mobile phone



David Webster, Safeway chairman, and Colin Smith, chief executive, saw their stock go up yesterday

groups were affected by concern about the impact of higher charges for rent of communications frequencies. Although Vodafone described the change as negligible, its shares ended down 6.5p, at 275p. Orange closed 6.5p down, at 217p.

Centrica, the former trading arm of British Gas, moved up 2p, to 64.5p, on news of a gas delivery deal in Germany.

its first move overseas. BG stayed at 181p ahead of interim results today.

Drinks groups lost their fizz on profit-taking, with Guinness down 12p, to 572.5p, and Grand Metropolitan off 8.5p, to 567p. Allied Domecq ended 7.5p lower, at 456.5p.

Merrydown, the cider group, fell 15p, to 75.5p, after warning that full-year results will be hit by a poor perfor-

mance from its Two Dogs alcoholic lemonade brand.

Imperial Tobacco rose 2p, to 403.5p, after news of pre-tax profits of £143 million, in line with City forecasts. Sage, the computer services group, rose 1.5p, to 654p, after a 20 per cent rise in profits, to £19.3 million.

Profit warnings knocked Datatrack 49.5p lower, to 160p, and AIM-quoted Martin Sheltos, the dairies group, 11p lower, to 86.5p.

Reckitt & Colman, the household products group, which has been on the end of bid speculation, put on 10p, to 905p. Its AGM was told that trading remains "robust".

United Biscuits, another name in the bid frame, rose 6.5p, to 228.5p.

Among second-liners, T&N, the engineering group, led the way, rising 8.5p, to 137p, on upbeat comments on trading.

Further consideration of results from Danks Business Systems, the photocopy group, lifted its shares 30p, to 597.5p, while On Demand Information, saw its price slide 6p, to a new low of 17p, after increased half-time losses.

Among media stocks, Scottish Radio rose 8.5p, to 405p, on news of record profits, up 39 per cent, to £4.5 million.

Capital Radio was in demand ahead of results, putting on 15p, to 553.5p.

Scottish Television was sought after, rising 13.5p, to 697.5p. Yorkshire-Tyee Tees also drew support, ending at £11.37, up 22.5p.

Circle Communications, the AIM-quoted television rights company, rose 8p, to 75p, on news of an agreed £8.3 million bid from Southern Star.

Versatile, a new entrant, ended at 4p, a 1p premium on its placing price.

GILT-EDGED: Uneventful trading saw the market testing higher levels but lacking the strength to push prices significantly higher. The June long gilt ended up 0.1p, at £114.13, on Barter volumes of 74,000 contracts. Longs had the edge with Treasury 8 per cent 2015 up 0.1p, to £100.91. In shorts, Treasury 8 per cent 2000 ended up 0.1p, to £103.91.

NEW YORK: Wall Street shares fell back from opening highs prompted by lower than expected April inflation data. At midday, the Dow Jones industrial average was up 37.91, at 7,312.12.



TALK of big deals afoot in the banking sector this week has provided added impetus to a sector that outperformed the market in recent months.

Abbey National, said by some to be in HSBC's sights, fell back, closing at 935p, off 22.5p, in the absence of any takeover activity.

In spite of some profit-taking in the sector, Barclays was in demand, on talk of restructuring at BZW, and moved up to a trading high of £12.77, before ending up at £12.53. Royal Bank of Scotland was also being bought, and added 7.5p to 657p by the close, while Alliance & Leicester rose 11p to 613p.

Before the arrival next month of the Halifax, traders expect the sector to remain buoyant. It is too early to start talking about taking profits, in spite of the recent rises, says one analyst. While the institutions remain underweight in the sector, there is further to go.

Insurers had a bumper ride with Commercial Union, GRE and Legal & General all squeezed by profit-taking.

Shares in mobile phone

MAJOR INDICES

New York (midday):	
Dow Jones	7312.12 (+37.91)
S&P Composite	836.38 (+3.75)
Tokyo:	
Nikkei Average	20204.72 (+80.61)
Hong Kong:	
Hang Seng	14153.58 (+207.12)
Amsterdam:	
Euro Index	796.50 (+10.63)
Sydney:	
ASX	2530.41 (+3.9)
Frankfurt:	
DAX	3573.69 (+21.46)
Singapore:	
SEAC	2098.26 (+14.71)
Brussels:	
General	12900.30 (+30.23)
Paris:	
CAC-40	2774.63 (+55.05)
Zurich:	
SWX	10940.00 (+18.33)
London:	
FT-100	3017.5 (+1.3)
FTSE 100	4686.9 (+4.1)
FTSE 250	4629.3 (+3.7)
FTSE 350	4637.7 (+3.9)
FTSE All-Share	4686.9 (+4.1)
FTSE Non-Financials	2240.8 (+5.49)
FTSE Financials	121.3 (+0.37)
FTSE Govt 50s	47.51 (+0.28)
Bulgaria:	
SEDAQ Volume	1,641,126 (+10,039)
German Mark	2,791.00 (+0.0213)
Exchange Index	98.1 (-0.3)
Bank of England official close (1996)	
ESR1	1.4256
ESR2	1.7726
RPI	155.4 Mar (2.6%) Jan 1997: 100
RPI-X	154.9 Mar (2.7%) Jan 1997: 100

RECENT ISSUES	
Alliance & Leicester	613 +11
Aston Villa	915 -22
Aurora Inv Trust	100 -1
Cable & Wireless	287p -1
Charlton Athletic	57p -
Close Bros Prot VCT	95 -
Comline	147p -
Donsborough	125p -
Dragons Hk Clubs	125p -
Head's	202p -8
ITG Group	160 -
Lady in Leisure	124p -2
Longbridge Ltd	117p -
Mrm Currie IAG Cap	91p -
Mrm Currie IAG Inc	91p -
EMAT (ST)	50 -
Newcastle Ltd	121p -
Northstar Secs	30p +1
Oxford Tech Venture	115 -
Partners Hkds	172p -
Pennine AIM (100)	100 -
Petra Diamonds	62p -
Petra Diamonds 50s	37p -
Quakeram (143)	155p -
Salehurst	121p -
Soccer Investments	103p -
Torch Hkds	107p -
Versatile Group	4 -

RIGHTS ISSUES	
Barlows n/p (525)	2
Bolton Cp (Intl) n/p (6)	1
Enterprise n/p (196)	53
Oxford Mch (360)	22p -6
Rackwood Mch (50)	14
RESE:	
Peptide Ther	360p (+26p)
Medova	285p (+14p)
Danka Bio Sys	587p (+30p)
Bt Airways	742p (+31p)
Jarvis	288p (+10p)
FALLS:	
Shield Dog	405p (-27p)
De La Rue	501p (-28p)
Kwik Save	289p (-11p)
Quakeram	305p (-11p)
AI Nippon Air	393p (-12p)
Revises	581p (-20p)
Cable Wireless	488p (-14p)

MAJOR CHANGES	
RESE:	
Peptide Ther	360p (+26p)
Medova	285p (+14p)
Danka Bio Sys	587p (+30p)
Bt Airways	742p (+31p)
Jarvis	288p (+10p)
FALLS:	
Shield Dog	405p (-27p)
De La Rue	501p (-28p)
Kwik Save	289p (-11p)
Quakeram	305p (-11p)
AI Nippon Air	393p (-12p)
Revises	581p (-20p)
Cable Wireless	488p (-14p)

Closing Prices Page 32	
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TEMPUS

Ringling changes at C&W

CABLE AND WIRELESS is changing so quickly that shareholders may not recognise it in a few months. The year-end results marked Mercury's last fling within the group: in April, it became part of Cable and Wireless Communications. Mercury will not be missed: the company failed to put more than a dent in BT's armour.

The results may also mark Hongkong Telecom's last fling as a fully-controlled subsidiary. Hong Kong's new Chinese rulers want a piece of the company and there is a good chance that C&W will find it expedient to drop its ownership from 38.5 per cent to 49 per cent or less. This would be a shame. Hongkong Telecom accounts for 80 per cent of C&W's market worth and two-thirds of its profits. Without it C&W would be an empty phone booth. C&W is playing down expectations.

that a deal with China can be completed in time for the colony's handover in July. This is not necessarily bad news. C&W does not have a gun pointing at its head and wants to make sure that any reduction in ownership is offset, or mainly offset, by the opportunity to gain access to the vast Chinese telecoms market. With only seven lines per 100 people, the growth potential is enormous.

C&W also needs to buy time. Loss of a significant chunk of Hongkong Telecom would be devastating unless the other parts of the empire can pick up the slack. C&W's large, but low-profit, American business would be a good place to start. Marrying it to a US phone company or global partner is one idea. C&W needs to prove that it is more than a one-asset operation and, until it does, there is no rush to buy the shares.

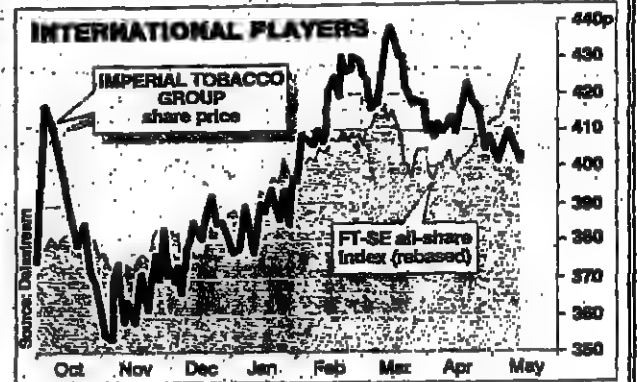
Imperial Tobacco

IMPERIAL Tobacco Group is skilled at making more out of a shrinking number of customers. UK tobacco consumption has been falling by about 2 to 3 per cent a year for the best part of two decades yet Imperial, still dependent on British smokers, continues to increase its profits. Without welcoming the latest threat to tobacco advertising, Imperial hinted that it would make little difference to the rate of shrinkage in its market. The company will continue to increase profits by tweaking its portfolio - with a growing emphasis on low-price brands - and further trimming costs.

But Imperial must look abroad if it is ever to secure real growth. The company

has just appointed an African sales director and remains optimistic about its chances in China. It has also made inroads in Eastern Europe. But as the disappointing results in France demonstrate, competition overseas is intense when the US giants equally keen to wean themselves from dependency on the fledgling US

market. Imperial's share price will continue to suffer jolts with the threat of legislation never far away. But much of this risk is reflected in the price with the shares standing on a forward price-earnings ratio of just ten times. Imperial will continue to generate solid profits so investors should hang on.



Bank of Ireland

SOME analysts predicted the end of Bank of Ireland's impressive stock market run last November. Having languished as low as 120p in 1991, the year Pat Molloy took over as chief executive, the stock climbed to 500p and then seemed to get stuck.

However, amid the general clamour for bank stocks, the share regained its momentum. After yesterday's rally and as expected annual results, it stood at 691.5p.

The results, and the company's bullish stance on the coming year, gave little reason to question the bank's continuing progress under Molloy.

Continuing progress under Molloy, the bank's shares were

the state of the Irish mortgage market suggests it could conceivably be trading at a premium. The Irish are more established owner-occupiers than the Brits, but prices, traditionally more stable, are soaring in parts of Ireland, buoyed by a thriving economy and providing growth to a mature market.

Alternatively, the UK banking sector may well be overpriced, but Bank of Ireland should achieve earnings growth of 8 to 11 per cent, hardly reason to sell.

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Rheinmetall, the German

defence company is to merge Kolbenschmidt with its automotive subsidiary, Pierburg, leaving T&N a minority partner with only 12 per cent. The German car firm, which has consistently demonstrated that European cooperation is a game best left to politicians, resolutely opposed T&N's ambitions to takeover Kolbenschmidt. Meanwhile, T&N has found a mystery investor prepared to grant it a put option over 151 Kolbenschmidt shares that could yield a profit of £28 million.

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Yes its new Labour, new Lloyd's

Nearly 12 years ago Michael Howard, then the bright new Conservative Minister, put forward plans to clear up City scandals. They became the 1986 Financial Services Act. The Times welcomed them, with a few caveats. Time has generally proved both the Act and the caveats right, though more reform is now due.

The biggest caveat for The Times and some others was over Clause 40 of the Bill, which excluded Lloyd's, London's 100-year-old insurance market. Many reasons were given. A relatively new regime of self-regulation had been introduced by the Lloyd's Act, meant to stamp out the fraud and insider trading of the 1970s. Lloyd's big overseas earnings were mentioned, along with the correct distinction that Lloyd's underwriting names were sold rather than traded.

Lloyd's was, perhaps, really excluded because its members considered themselves a cut above the general run of savers to be

protected by the Act. They did not want state-sponsored regulators poking their noses into Lloyd's private and usually lucrative world. Nor did the insurance market's professionals.

In the quest for exemption, they had influential allies, notably about four dozen MPs. Some saw Lloyd's as a place to make efforts to less high returns to supplement their pay. Others were barristers seeking, among other things, to defer penal tax bills. Among them was Mr Howard himself, who had stopped being an underwriting name when he became a minister. Another was Ian Lang, later President of the Board of Trade but once a Lloyd's professional.

Most then thought that Lloyd's was over the worst. Agents were no longer fleeing justice to the comfort of their offshore bank accounts. But far worse was to come. History will never tell whether the

malpractices that multiplied losses incurred by thousands of names in the 1990s would have been prevented if Lloyd's had been regulated under the PSA. The example of mass mis-selling of personal pensions does not suggest that many family fortunes would have been saved. But those affected might have had more faith in the timely and just treatment of their grievances and of those most responsible for them.

Tomorrow, the top brass at Lloyd's will therefore take a big psychological step when, barring last-minute hitches, they recommend that both names and the new corporate investors, brought in to rebuild the market's capacity, should come under the gaze of the SIB. They want to retain internal regulation, but to beef this up and make it responsible to SIB like other second-tier regulators. This looks a better formula than that



GRAHAM SEARJEANT

adopted by the Stock Exchange, which lost most of its authority to other bodies. It would be an unkind irony if Labour abandoned two-tier regulation just as Lloyd's finally asked to join.

Sadly, there are now only 12,000 names to protect, little more than a third of those trading when the Financial Services Act came into force. If the Lloyd's council agrees

other reforms to modernise the market, there will surely soon be 10,000 or fewer. Already, corporate underwriting names, introduced by the reforms recommended by Sir David Rowland just before he became chairman, account for 44 per cent of Lloyd's capacity. That may soon be more than half. Jonathan Agnew, who heads a committee drawing up the next set of reforms, is a former banker who heads a big corporate name. Commercial Union has bought into an underwriting group.

Perhaps it is no accident that Lloyd's is now anxious to achieve a good rating among international agencies such as Standard & Poor's who decide which insurer is best able to meet claims. The near collapse in 1991-95 questioned the security of policies at Lloyd's. The difficulty of collecting excess losses from recalcitrant names questioned the ultimate

value of its names' unlimited liability to pay.

Tomorrow is also the last day for responses to proposals that move from Lloyd's traditional mystery to proving its asset backing openly. They would raise the minimum wealth for a name from £250,000 to £350,000 by 1999. They would also force individual names to deposit more of their capital with Lloyd's, in effect slashing the amount of insurance they can write per pound of free wealth. They could still underwrite more per pound than the limited liability vehicles, but not much.

More proposals in the pipeline would abolish the annual underwriting account, which allows names to move money in or out. Permanent syndicates carry more favour with potential customers.

No wonder many names who have paid up and hung on for better days feel betrayed. Any

increase in minimum wealth for existing members should be phased in over a decade rather than two years. The council should also ensure that lower gearing does not force names to sell capacity at the same time. The interests of remaining names should at least be equal to the long-term future of Lloyd's.

The survival of Lloyd's was, however, something of a conjuring trick. The old Lloyd's died in the process, leaving a skeleton to be fleshed out to form a new trader to compete in a global market. This will lose the most advantage of unlimited liability and rely on marketing, City finance and the concentration of expertise among surviving underwriters and brokers. Like the Stock Exchange, it will be in London rather than of London, dominated by large international interests.

New Lloyd's has even backballed Mr Lang from replacing Sir David at the end of the year merely because he was a politician. Not cricket, but it was broke, so they had to fix it.

Washington split on merits of North America's trade pact

Nafta has revived old debates in the US, reports Bronwen Maddox

Hobbling on crutches, throughout his tour of Mexico last week, President Clinton may well have felt that the pursuit of free trade was proving unexpectedly sweaty work.

Mr Clinton, in a speech in the bougainvillea-draped garden of Ernesto Zedillo, the Mexican President, was preaching to the converted. Mexico strongly supports Mr Clinton's call for extension of the North American Free Trade Agreement (Nafta) between the US, Canada and Mexico to other countries on the American continent. However, Mr Clinton's crutches are an apt symbol of the way his hopes are running ahead of the growing political constraints.

In the US, the question of whether Nafta has helped the US economy or cost it manufacturing jobs has provoked some of the fiercest battles between the White House and Congress this decade. Henry Kissinger, the former Secretary of State, has said that, if the US fails to extend Nafta, it will be left out of a new pan-American era. However, Nafta has also provoked a new protectionism within the US, splitting the Republican and Democratic parties. Ross Perot, in his 1996 bid for the White House, spoke of the "sucking sound" of investment pouring south of the border.

Outside the US, particularly in Europe, the Nafta experiment is also watched closely. Partly, the political dispute is a barometer of the US's protectionist instincts. Even more important, given the popularity of regional trade blocs, in Asia as well as Europe, Nafta provides one of the best ways of judging whether members really benefit.

Mr Clinton has repeatedly described the passage of Nafta in 1994 as one of the triumphs of his first term. It was intended not just to deepen economic relations with the US's neigh-



President Clinton and President Zedillo of Mexico want to extend their countries' Nafta trade deal to other nations

bours, but, in a similar spirit to the EU, to cement political relations too. In lowering trade barriers with Canada, the pact was ambitious but not fundamentally contentious; in including Mexico's developing economy, it provoked the most bitter trade debate within the US Government for 60 years.

In three years, that controversy has grown louder. Appalled Administration officials, watching the revival of a row they had thought settled, understandably blame the Mexican peso crisis.

Just ten days after the December 1994 Summit of the Americas, in Miami, in which Mr Clinton threw his weight behind calls for a pan-American trading bloc, the Mexican peso collapsed. The US rushed to pull together a \$50 billion international rescue package, itself extending a \$12.5 billion emergency loan. Although the Mexican economy has rebounded and the US was repaid in full in January, the crisis gave unexpected support to Nafta's critics. However, two years later, stripping away the effects of the peso collapse, there are still signs that Nafta has worked as expected, although not quite

for the reasons that the Clinton Administration claims.

The Administration laid a trap for itself from the start by claiming that Nafta would increase the US's export surplus with Mexico. Equating exports with employment, it also claimed that Nafta would boost jobs. The Department of Commerce reckoned that each extra \$1 billion of exports would create 20,000 jobs. So, when US merchandise exports to Mexico rose by \$9 billion in 1994, the Administration

published by the Centre for Strategic and International Studies, a Washington think-tank. As he eloquently points out, the Bush and Clinton Administrations were lured into making spurious economic claims about benefits of Nafta to push the agreement through Congress. He argues, as do many independent economists, that the debate has taken a misleading tack in focusing on the trade balance.

There is, for a start, no automatic relationship be-

between a rising value of exports and the number of jobs created; the link between imports and jobs lost is even more questionable. Nor should it be assumed that running a trade surplus each year is always desirable, as nationalists such as Mr Perot seem to do.

Contrary to the impression given by the political heat, Nafta is also small beer. Its effects are dwarfed by the wider economic conditions. The US ran a trade deficit with Mexico for years after the Mexican recession of 1982, a reminder that the relative health of the two economies has far more effect than a trade pact on the balance of trade. Similarly, whatever the true effect of Nafta on jobs, it will have been overshadowed by the 2.25 million US jobs generated each year since 1994 by the spectacular economic growth of the US.

Rather than looking at year-to-year fluctuations in the balance of trade or counting jobs along the US-Mexican border, the better way to judge Nafta is by its effect on total trade in both directions, by the increase in investment, and by whether companies are beginning to act as if the region were a single economic whole. On all three counts, there is evidence that Nafta has worked as hoped.

In particular, the growth in two-way trade has been spectacular, with it shooting up from \$28 billion in 1980 to \$130 billion last year, and direct US investment in plant and equipment in Mexico has grown several times from \$3 billion in 1994.

Critics and supporters of Nafta disagree hugely about

how much of this growth can be attributed directly to the agreement; after all, the figures continue a trend that was in place for two decades before Nafta. However, supporters point out that the steepness of the growth in trade after 1994 is startling.

They add that there is growing evidence that companies, particularly in the car industry, are specialising to extract the most value from trade across the border. That is, companies are beginning to regard neighbouring countries as an extension of their own, in just the way the past promoters envisaged.

There is also at least one point on which Nafta can be given entire credit for making Mexico's response to the 1995 crisis less damaging than it might otherwise have been. The agreement, in effect, forced Mexico to choose devaluation of the peso over exchange controls or import restrictions, alternatives that would arguably have been much more damaging. In 1982, for example, Mexico raised import duties, causing its trade to plummet and prolonging its recovery from recession.

Of all the experiments that a country can perform on itself, signing a far-reaching trade pact is one of the most ambitious. As Nafta shows, the immediate costs, in terms of local jobs lost, can be politically explosive. In the short run, the pact may have given ammunition to US protectionists; the Administration's hopes of extending Nafta this summer seem likely to be frustrated, and the issue is set to dominate the race for the White House in 2000.

However, three years on, Nafta is beginning to demonstrate, as Mr Clinton hoped, that it can help all members, although conclusive evidence is likely to surface only after he leaves office.

Whether it also succeeds in deepening political relations between the US and Mexico depends partly on whether the Mexican Government acts vigorously against corruption, as Mr Clinton also pointed out in Mr Zedillo's garden. As EU member countries know, an economic device cannot easily carry the full burden of political integration.

Nafta has, however, at least provided encouragement. In spite of all the controversy, for the view that regional trade pacts are worth building.

Supermarket chains make gains from smaller rivals

Sarah Cunningham finds that Sainsbury has turned conventional wisdom about Britain's leading food retailers on its head

Sainsbury, the quietest and least flashy of the leading supermarket groups, has got into the habit recently of hitting the market with surprises. Figures released by the group yesterday along with its end-of-year results appeared to stand conventional wisdom on its head by indicating that, for once, all the big four supermarket chains are doing well at the same time.

This latest surprise came as a sharp contrast to Sainsbury's last effort: a profit warning delivered in February that sent the sector's shares tumbling.

Before yesterday's figures the assumption in the City was that the first glimmers of recovery at J Sainsbury, which had delivered an even more

place among the supermarkets by Tesco, seemed at the time to be the company most likely to start such a war. The threat has now receded, he acknowledges. "If Sainsbury's were going to do it, it would probably have done it by now."

He has doubts about Sainsbury's recovery, however, and is not alone. David McCarthy, at BZW, one of the most consistently bullish about Sainsbury's, is sceptical about the company's underlying sales performance. He points out that while Sainsbury's reported 4.2 per cent like-for-like sales growth last week, it also said it was experiencing 1.5 per cent inflation. As other supermarkets are reporting deflation, this can only mean that Sainsbury's, far from starting a price war, has been raising its prices.

The competition between the four chains is and will remain intense. But the nervousness about food retailers that has been in the market since this year's profit warnings has now largely evaporated. The world is a safe place for supermarkets again — as long as they are called Sainsbury, Sainsbury's, Tesco or Asda.

There is an awful lot of weak competition out there

out that while J Sainsbury said its market share had crept up from 12.5 to 12.6 per cent, Sainsbury claims that its own has risen from 7.5 to 7.8 per cent. With Asda and Tesco also gaining volumes ahead of the market, the only possible conclusion is that the smaller players, who still control more than 55 per cent of the total grocery market, are losing out.

"The market has been missing out on the fact the bigger operators are moving forward at the expense of the second and third-tier operators," Colin Smith, chief executive of Sainsbury, said yesterday.

Richard Perks, of Verdier, the retail consultancy, says the big four supermarket chains are benefiting from the fact that "there is an awful lot of weak competition out there".

The obvious loser so far this year is Kwik Save. Last week it said its current sales at comparable stores were down 6 per cent. Mr Smith reckons that the Co-op movement, which

Bottled out

ONE casualty of the GrandMet/ Guinness merger is a delightful sounding trip to Prague for 50 brokers and fund managers and a few journalists. They were to learn about how Guinness was selling Johnnie Walker and its like to the newly liberated east Europe. Lots of visits, chances to sample the stuff — you know the kind of thing — and a strong emphasis on United Distillers, the spirits arm. Except that it's been cancelled. Guinness says the lawyers nixed it, because every dot

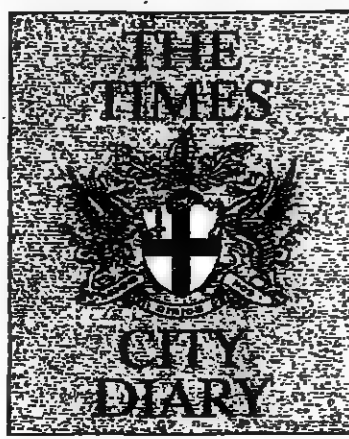
and comma would have had to be cleared by them.

Nothing to do with the fact that one party who has not come out so well from the deal is Fint Johnson, managing director of United Distillers but definitely number two, under GrandMet's Jack Keenan, in the merged spirits side, renamed United Distillers & Vintners. No doubt Mr Johnson would have his own views to put to City folk — except that they will not now be hearing them.

ER, THERE seems to be some sort of mistake here. Winner of the RISK magazine poll as top provider of highly technical derivative instruments to companies is Deutsche Morgan Grenfell, where Gherkin Man Peter Young had his own wacky way with exotic investments. Second place in a poll of more than 500 finance directors and treasurers went to, you guessed, NatWest Markets, fresh from its own £90 million losses trading interest derivatives.

Shut out

HIGH drama at Investors Chronicle, hitherto such a dull publication. Long-serving journalist Conor Joyce was held up in the office of the edi-



tor, Ceri "Pol Pot" Jones, yesterday morning in protest at what he considered to be his brutal regime. Joyce, whom I dimly recall as a somewhat over-excitable member of the press pack, had to be winkled out by police from nearby Holborn Police Station. "He's gone," said Jones. "It's something that's been going on for a long time."

How long had he been there? "I can't remember." I press on, by now seriously worried — how many days had the poor man been barricaded in? When had he last eaten? But she was referring to his length of service. The protest lasted a couple of hours, it seems. Joyce had already resigned, so what was it about? "Many things, I dare say, some of them of a very

personal nature. I know you're busy scribbling. I really can't help you further." Holborn police said no one of that name had been arrested or charged, so it seems the matter ended with a fatherly chat. Here at The Times we keep a pair of water cannon handy for such eventualities.

FROM tonight we will all be irritated by the latest advertising campaign from BT. The star, replacing Bob Hoskins and others, is a nine-year-old schoolgirl called Nicola Bland, who will ask, wide-eyed, why adults have to work so hard and why Daddy can't make it home for bath-time. All terribly guilt-inducing, but what of the doubtless idyllic home life of young Nicola? Her father, BT's marketing chief, will only say, does a "blue-collar, nine-to-five job". What is it, and when does he get home? Says the mouthpiece, in an unexpected moment of candour, "I think that's the question the ad agency are trying to avoid."

Tactful silence

SIR Colin Marshall will be hoping that Gordon Brown will not have too sharp a memory when, as President of the Confederation of British Industry, he introduces the Chancellor at next week's CBI dinner. Though the British Airways chairman, to the surprise of some insiders, successfully sustained the CBI's policy of political neutrality

during the election, Centre Point officials recall that the head of one of the Tories' favourite companies took some of them by surprise by telling last year's dinner guest, John Major, that he hoped to see him back again at the dinner in two years' time.

By convention, Prime Ministers grace the CBI's annual Mayfair dinner once every two years, but the significance of Sir Colin's remarks was that, come what may, an election would have to take place in the interim. So they were perhaps a little more enthusiastic than Sir Colin might care to remember as he next week glad-hands Labour's Chancellor.

MARTIN WALLER



Sir Colin Marshall has to greet Gordon Brown at the CBI dinner

NOTICE OF VARIATION OF INTEREST RATES

With effect from 15 May 1997

our variable Mortgage rate will increase from 6.31% (6.5% APR) to 6.69% (6.9% APR) per annum for new borrowers and from 1 June 1997 for existing borrowers.



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"If you listen closely you can hear the shouting at the AGM"

Imperial ready to fight ban on advertising

BY ALASDAIR MURRAY

IMPERIAL Tobacco Group said yesterday that it would like to see any further cigarette advertising restrictions kept voluntary.

The Government announced in the Queen's Speech that it is to start work immediately on a White Paper looking at measures to reduce tobacco consumption. It is aiming to pass legislation, including a ban on tobacco advertising, during the current session of Parliament.

But Gareth Davis, chief executive, said that existing voluntary restrictions had worked well in reducing the number of smokers in the UK. He added that Imperial would argue for the right to be

allowed to communicate with its customers, but was willing to talk to the Government over the content of its proposed White Paper.

Mr Davis's comments came as Imperial, which produces brands such as Regal, Embassy and John Player Special, announced its first set of interim results since demerging from Hanson last autumn. Half-year operating profits increased 5 per cent to £183 million in line with City expectations, while turnover rose 4 per cent to £1.94 billion.

Operating profits in the UK rose 3.5 per cent to £147 million. Imperial said that the rate of decline in the cigarette market had accelerated to 3 per cent because of duty rises which had taken the price of premium brand cigarettes above the psychologically important £3 per packet. But Imperial raised its market share to 38.4 per cent from 37.9 per cent because of a shift to cheaper brands including Lambert & Butler.

Profits from international businesses were up 13 per cent to £36 million. Imperial said Rizla, the cigarette paper company that was purchased for £185 million in January, was performing well. The company aims to make further cost savings by integrating the sales teams of the two companies with around 50 job losses.

Imperial's one blackspot was France, where sales fell 4 per cent after the cut-price launch of the Winfield brand by rival Rothmans.

Mr Davis added that the company was confident it would see off the 14 legal actions pending in this country. He said that legal aid has been refused in all the cases and Imperial currently has made no provision for losses. A maiden interim dividend of 7.2p is payable on July 1. The shares closed up 2p at 403.2p.

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Bradford & Bingley lifts rates

BY ANNE ASHWORTH

THE struggle between building societies converting into banks and those staying mutuals resumed yesterday when the Bradford & Bingley Building Society set its increased variable mortgage rate at 7.35 per cent, 0.25 per cent below the Halifax's rate. The B&B, a committed mutual, has also lifted its savings rates, the first society to declare its hand in the summer savings war. Savings rates will rise by between 0.20 and 0.80 per cent from May 18. The Halifax has yet to announce its savers' rates to apply from June.

The rises in loan and savers' rates were triggered by last week's 0.25 per cent base rate rise.

Borrowers who have been with the B&B more than two years will pay a special 7.15 per cent rate.



Reflecting on success: David Goldman, left, chairman of Sage, and Paul Walker, chief executive, reported a 20 per cent rise in profit to £19.3 million (£16.1 million) in the six months to March 31. The soaring pound shaved £1.1 million from the figures. Sage said more than 60 per cent of its business is now generated from its existing client base. Earnings were 12p (9.92p) a share; an interim dividend of 0.97p (0.88p) is due on June 23.

Bid favourite Westpac 13% ahead

FROM RACHEL BRIDGE IN SYDNEY

WESTPAC, one of Australia's big four banks, achieved a better than expected 13 per cent rise in operating profits, to A\$638 million (£319 million), in its half year to March 31.

However, the bank, which is seen as one of Australia's prime targets for a takeover by

a UK or other non-Australian bank, said that pressure on margins may prevent it from doing as well in its second half. Robert Joss, managing director, said: "There's constant pressure on margins so there's a test to do the best we can on fees, on lowering costs and increasing efficiencies."

Mr Joss raised the possibility of Westpac holding a A\$500

million preference share issue as part of its A\$1.4 billion takeover of Bank of Melbourne, a regional bank, saying that it would be insurance to keep its balance sheet strong if a lot of Bank of Melbourne shareholders chose the cash option instead of Westpac shares.

Transaction fees and income from account-keeping rose to A\$79 million, from A\$306 mil-

lion in the same period last year, helping to lift overall non-interest income to A\$869 million (A\$714 million).

Analysts differ as to whether Westpac's agreed bid for Bank of Melbourne lessens or increases its appeal as a takeover target for an overseas bank. Some say it will be too big to swallow. Others say the deal improves its business spread.

Optimistic outlook at Bank of Ireland

BY ADAM JONES

BANK of Ireland, the buyer of Bristol & West Building Society, reported a rise in 1996 pre-tax profits to Ir£396 million from Ir£316 million in the previous year. Pat Molloy, chief executive, said the outlook for further volume growth this year was good, despite continuing pressure on margins.

The performance was lifted by the end to restructuring in the bank's US operations, which had back the 1995 pre-tax profit figure with a Ir£48.1 million exceptional charge.

Mr Molloy said: "The outlook and conditions in all the markets in which we are operating are good. It's a good time in the banking business." He said the Ir£600 million Bristol & West deal had dented the bank's purchasing power, "a little", but it was still surveying growth opportunities.

The bank's London-listed share price has soared past 700p from about 130p under Mr Molloy's stewardship. It said profits at its retail division grew from Ir£183 million to Ir£204 million. Assets grew 6.8 per cent to Ir£19.7 billion.

Corporate and treasury profits were down slightly, from Ir£75 million to Ir£72.9 million, despite buoyant foreign exchange trading. Increased revenues from Lifetime Assurance, Davy stockbrokers and the bank's asset management arm, which now looks after Ir£13.6 billion, helped to boost non-interest income by Ir£34.6 million to Ir£315.2 million.

Costs increased 4.4 per cent in the year, helping to push operating expenses up to Ir£543 million (Ir£520 million).

The vesting date of Bristol & West is expected to be July 28. A dividend of Ir£1.65p is proposed, making a total of Ir£1.75p (Ir£1.25p) for the year.

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Prosecutors arrest Nomura executives

TOKYO prosecutors arrested three officials of Nomura, Japan's biggest securities brokerage, yesterday on suspicion that they illegally compensated a favoured client for trading losses. A criminal complaint, filed against them and Nomura on Tuesday by Japan's Securities and Exchange Surveillance Commission, alleges that, with Nomura's approval, the three illegally compensated Kojin Building, a property company operated by relatives of an accused extortionist, in 1995. It says the payments, by executives Shimeji Matsuki, Nobutaka Fujikura and Osamu Sakamaki, former Nomura President, are also named in a ¥70 million class-action lawsuit filed on behalf of shareholders. The suit says they funneled shareholders' money into a secret account from which stock trades were made on Kojin Building's behalf.

Pemberstone purchase

PEMBERSTONE, the residential property investment company, has agreed to acquire a portfolio of tenanted residential dwellings from Woolwich Assured Homes, a subsidiary of Woolwich Building Society, for about £12 million. The properties are located mainly in the South East of England. Separately, Pemberstone announced its formal offer for the shares it does not already own in South Eastern Recovery Assured Homes, valuing them at £4.83 million.

Scottish Radio record

SCOTTISH RADIO reported record earnings as the group's new radio stations and newspapers achieved strong growth. Pre-tax profits in the half year to March 31 rose 39 per cent to £4.5 million on turnover up 37 per cent to £18.3 million. The interim dividend, to be paid on July 4, rises from 2.5p to 3p. The company said it intends to make more acquisitions. Baroness Jay of Paddington, a Scottish Radio director, has resigned after her appointment as Health Minister.

Sanderson advances

SANDERSON ELECTRONICS, the computer services company, reported pre-tax profits of £3.5 million (£3.3 million) for the half year to March 31. It said trading had started positively in the second half. Turnover was £33.4 million (£30.6 million). Earnings were 8.9p a share (5.3p). The company, which sponsors both Southampton and Sheffield Wednesday football clubs, is paying a second interim dividend of 2.4p a share (2.1p). A first interim of 2.2p a share was paid on February 3.

LucasVarity signs deal

LUCASVARITY, the Anglo-American engineering group, has signed a joint venture deal with Tianjin Engine Works in China. Initial investment in the joint venture, to be called Perkins Engines (Tianjin), will be £18 million. The venture will manufacture more than 50,000 engines a year in Tianjin, China's third-largest city, by 2001 and expand to 120,000 engines a year. LucasVarity said it expected the demand for diesel engines to double in China by the end of the decade.

BP builds in Scotland

BP, the oil company, is investing £35 million in a Scottish venture that will create up to 150 construction jobs. Work will start immediately on two new furnaces designed to increase the capacity for handling ethylene gas - used as a building block for plastics - from 50,000 to 320,000 tonnes annually at BP's Grangemouth site. The project is set to last 17 months. Investment is also planned for downstream units, including a polyethylene plant for plastics manufacture.

Audit committee can be boon

Those ensuring that the rules are obeyed could do so much more for their company, says Martyn Jones

Are audit committees yet another burden on business or can they make a positive contribution beyond simply ensuring compliance with the rules? This is a question that, for many, remains to be answered.

Over the past decade, we have seen the arrival of audit committees in larger UK companies and other organisations. Although audit committees were already part of corporate life, their introduction was accelerated by the Cadbury Committee recommendations. Compliance with those recommendations is now very high. What, however, should such committees do?

It is clear that commentators on the Hammett Committee's remit believe that any corporate governance framework should be such that it allows business to succeed without successful companies there would be nothing to govern. Because the audit committee is a cornerstone of the UK corporate governance system, a working party of the audit faculty of the Institute of Chartered Accountants in England and Wales was set up with a view to providing helpful guidance. The result of its work is a booklet *Audit Committees - a Framework*

for Assessment, which was published last week.

The working party has not tried to set out lists of rules for audit committees to follow; such a prescriptive approach would tend to encourage a "box-ticking" mentality leading to corporate governance in form, rather than in substance. Instead, a framework is provided for self-assessment of the committee's operation, accompanied by a picking list of good practice. As Yve Newbold says in a foreword to the booklet, some readers will find at least one item in the picking list that is new to them and some will find it sobering to see how far their committee's practices fall short of the ideal.

Because of the way that the working party approached its task, the framework is as relevant to smaller companies, not-for-profit organisations and the public sector as it is to our largest companies. However, the working party recognises that there is no single blueprint for success.

An underlying tenet of the booklet is that an audit committee is a committee of the main board and that it is the main board that is responsible for the direction and, ultimately, the management of the company. Recognition is given to the increasing trend in many large



Martyn Jones says audit committees need not be a burden

er companies for the board to delegate to the audit committee some oversight role in relation to internal financial control.

The booklet also recognises that the main board may increasingly use the audit committee's appreciation of business risk to assist its consideration of the wider aspects of internal control, including operational efficiency and effectiveness and compliance

with the law. This may take audit committee work beyond what have traditionally been considered financial areas.

The booklet suggests that, whatever the committee's role in the company, it should ask itself certain questions about its structure. These cover the appropriateness of its terms of reference, the selection and training of members, the frequency of meetings, the relevance of information available

to it, the adequacy of administrative support and the effectiveness of relationships with internal audit, external audit and executive management.

Having given guidance on setting up an audit committee that can make a positive contribution to a business, the booklet suggests questions to assist the committee in actually making such a contribution. These questions relate to business risk, internal control, fraud, financial statements and other documents (for example, profit forecasts), regulation and ethical matters.

Finally, the booklet suggests that an audit committee continually asks itself how it can improve its effectiveness as part of the system of checks and balances in the company's control environment.

This booklet is of relevance to all directors, not only members of audit committees. It will not, of itself, give rise to an audit committee that provides a positive contribution to a business, but it does detail much experience and make it available to those who wish to benefit. Not all companies will be at the leading edge; indeed many will choose to follow a broad consensus of plc companies. Other companies will recognise practical ideas that they can adopt or adapt.

So is an audit committee a burden or a benefit? It is up to the directors. With this booklet, it could be a real benefit.

□ Martyn Jones, of Deloitte & Touche, chairs the ICAEW audit faculty working party

Hail to the referees of privatisation

If you were to ask one of the prominent accountants of our time what the major economic breakthrough of the past half-century has been, he would suggest privatisation. Indeed, he says as much in his introduction to research published today that provides the clearest view yet of the whole privatised utility market. Sir Bryan Carsberg, who has been head of Ofwat, the telecommunications watchdog, and of the Office of Fair Trading, then goes on to argue that accounting lies at its heart. However, it is accounting that has been sadly misunderstood in all the battles that privatised utilities and their regulation have provoked.

The research, by Professor Irvine Lapsley and Kenneth Kilpatrick, of Edinburgh University, is called *A Question of Trust: regulators and the regulatory regime for privatised utilities*, and has been funded and published by the Scots ICA, which deserves much praise for encouraging such useful and timely work.

Looking back at the old days of water boards and other utilities, it is amazing that they were allowed to be so unaccountable and unproductive. The golden age of public service, worthy though the aims were, is here recalled as stagnation and waste. Successive governments were to blame. The problem with governments is that they want the laudus of running a thing but wish to avoid responsibility if anything goes wrong. Running nationalised industries was a fine example. As the research shows, ministers made fools of themselves by wanting both to be regulators of each industry and chairmen. They should have been neither. The potential for tension between the minister, in his interpretation of general policy for a specific industry, and the responsibility of the state corporation's board for day-to-day management is evident," the research study says. It quotes a telling point from a Commons committee for nationalised industries report in 1968. "The ministry officials," it said, "are now attempting to examine projects in almost as much detail, and with much the same material before them and with the same questions in mind, as the industrial managers themselves." No wonder the system cracked to a halt.

And small wonder that when the industries were gradually freed from this yoke they were rather startled by independent regulators. It was, as the research study says, "a situation

fuelled by tensions by, on the one part regulators who are surprised at the nature of regulation, and, on the other, a set of regulators who are set to oversee the activities of regulated with certainty and conviction."

The bureaucracy was wounded and angry. The study quotes Jim McKinnon, the first gas regulator, on an encounter between himself and the British Gas board under Sir Denis Rooke. "Denis sat at the end of a long table," McKinnon said. "I sat to his right, facing four or five of his managers. I made my requests for detailed financial data... His managers all started jumping up and down in full macho fashion, tearing into me and my views. They thought this would impress Rooke. But he leaned across to them, they stopped and very quietly he said to them: 'Who are the public going to believe in five years' time - him or you?' And he told them to get on with providing me with the financial data I wanted."

The study follows utilities' progress since those days and concludes that huge benefits have come from the change, though it is careful to point out that issues of executive pay are beyond the regulators' brief.

The real problem that the study pinpoints is a growing difference between the type of information on which such industries should be judged and the information on which the world tends to judge them. Regulators insist on striving towards real economic cost as a measurement. The rest of the world grabs whichever measurement suits its line of argument.

It is the old dispute between current cost accounting and historical cost. Current cost figures, which take into account adjustments for inflation and erosion of value, are the best way to assess long-term performance. However, companies almost always prefer to trumpet short-term gains, and the rest of the world loves to bash a political Aunt Sally. Historical cost figures give you a better chance of both of those. As the study says, "there is the important distinction between regulators focusing on financial results on a current cost basis as a better measure of the long-term financial performance of these utilities, and the capital markets, the media and other interested parties responding to their financial results on an historical cost basis."

Small wonder that Sir Bryan writes that he has "often thought that accounting lies at the heart of utility regulation."



ROBERT BRUCE

Tip of the iceberg

THE disclosure last week in the English ICA's annual report and accounts that Andrew Colquhoun, the chief executive, received £124,000 a year may only be the tip of the iceberg as far as the institute's truculent members are concerned. Rumour has it that since the year-end a further hefty rise in salary has been granted. The hiring of a

competent technical director from Arthur Andersen meant paying the fellow more than the chief executive. And that meant an element of leap-frogging had to follow.

Sikka's promise

MEMBERS' hearts sank to the bottom of their boots at the start of the Association of

Chartered Certified Accountants' annual meeting. Professor Prem Sikka, the indefatigable rebel, strode to the microphone at the first available opportunity. He urged the office-holders to behave with dignity and then said that he had a total of 35 questions to ask at the meeting. Thankfully, after skirmishes on the question of the president hav-

ing lunched some council candidates and the travel costs of the chief executive's spouse, he left most of them unasked. But he has promised to set up a web site later in the year so that he can keep his supporters up to date.

Flare for diet

THE leadership at Grant

Thornton is taking the idea of lean business strategies to heart. Several have adopted a French diet system and have lost considerable amounts of weight. David McDonnell, who has recently been re-elected chairman, is finding he can now wear suits that had been hanging unused in his wardrobe for years. Rumour has it that he will be back in flares and wide lapels in a few weeks' time.

ROBERT BRUCE

ANY OTHER BUSINESS

Shares on rollercoaster

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558	1557	1556	1555	1554	1553	1552	1551	1550	1549	1548	1547	1546	1545	1544	1543	1542	1541	1540	1539	1538	1537	1536	1535	1534	1533	1532	1531	1530	1529	1528	1527	1526	1525	1524	1523	1522	1521	1520	1519	1518	1517	1516	1515	1514	1513	1512	1511	1510	1509	1508	1507	1506	1505	1504	1503	1502	1501	1500	1499	1498	1497	1496	1495	1494	1493	1492	1491	1490	1489	1488	1487	1486	1485	1484	1483	1482	1481	1480	1479	1478	1477	1476	1475	1474	1473	1472	1471	1470	1469	1468	1467	1466	1465	1464	1463	1462	1461	1460	1459	1458	1457	1456	1455	1454	1453	1452	1451	1450	1449	1448	1447	1446	1445	1444	1443	1442	1441	1440	1439	1438	1437	1436	1435	1434	1433	1432	1431	1430	1429	1428	1427	1426	1425	1424	1423	1422	1421	1420	1419	1418	1417	1416	1415	1414	1413	1412	1411	1410	1409	1408	1407	1406	1405	1404	1403	1402	1401	1400	1399	1398	1397	1396	1395	1394	1393	1392	1391	1390	1389	1388	1387	1386	1385	1384	1383	1382	1381	1380	1379	1378	1377	1376	1375	1374	1373	1372	1371	1370	1369	1368	1367	1366	1365	1364	1363	1362	1361	1360	1359	1358	1357	1356	1355	1354	1353	1352	1351	1350	1349	1348	1347	1346	1345	1344	1343	1342	1341	1340	1339	1338	1337	1336	1335	1334	1333	1332	1331	1330	1329	1328	1327	1326	1325	1324	1323	1322	1321	1320	1319	1318	1317	1316	1315	1314	1313	1312	1311	1310	1309	1308	1307	1306	1305	1304	1303	1302	1301	1300	1299	1298	1297	1296	1295	1294	1293	1292	1291	1290	1289	1288	1287	1286	1285	1284	1283	1282	1281	1280	1279	1278	1277	1276	1275	1274	1273	1272	1271	1270	1269	1268	1267	1266	1265	1264	1263	1262	1261	1260	1259	1258	1257	1256	1255	1254	1253	1252	1251	1250	1249	1248	1247	1246	1245	1244	1243	1242	1241	1240	1239	1238	1237	1236	1235	1234	1233	1232	1231	1230	1229	1228	1227	1226	1225	1224	1223	1222	1221	1220	1219	1218	1217	1216	1215	1214	1213	1212	1211	1210	1209	1208	1207	1206	1205	1204	1203	1202	1201	1200	1199	1198	1197	1196	1195	1194	1193	1192	1191	1190	1189	1188	1187	1186	1185	1184	1183	1182	1181	1180	1179	1178	1177	1176	1175	1174	1173	1172	1171	1170	1169	1168	1167	1166	1165	1164	1163	1162	1161	1160	1159	1158	1157	1156	1155	1154	1153	1152	1151	1150	1149	1148	1147	1146	1145	1144	1143	1142	1141	1140	1139	1138	1137	1136	1135	1134	1133	1132	1131	1130	1129	1128	1127	1126	1125	1124	1123	1122	1121	1120	1119	1118	1117	1116	1115	1114	1113	1112	1111	1110	1109	1108	1107	1106	1105	1104	1103	1102	1101	1100	1099	1098	1097	1096	1095	1094	1093	1092	1091	1090	1089	1088	1087	1086	1085	1084	1083	1082	1081	1080	1079	1078	1077	1076	1075	1074	1073	1072	1071	1070	1069	1068	1067	1066	1065	1064	1063	1062	1061	1060	1059	1058	1057	1056	1055	1054	1053	1052	1051	1050	1049	1048	1047	1046	1045	1044	1043	1042	1041	1040	1039	1038	1037	1036	1035	1034	1033	1032	1031	1030	1029	1028	1027	1026	1025	1024	1023	1022	1021	1020	1019	1018	1017	1016	1015	1014	1013	1012	1011	1010	1009	1008	1007	1006	1005	1004	1003	1002	1001	1000	999	998	99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Conjectural categories permissible

Regina v Commissioners of Inland Revenue, Ex parte Ulster Bank Ltd

Before Lord Justice Simon Brown, Lord Justice Mummery and Sir Brian Neill

The description of a notice under section 20(8A) of the Taxes Management Act 1970, given by the Inland Revenue to a third party for the production of documents in its possession or power which were relevant to another person's liability, was not restricted to the categories of documents which are described as "conjectural" rather than "actual".

The Court of Appeal so stated, inter alia, dismissing an application by Ulster Bank Ltd for judicial review of a decision recorded in a letter dated June 1996 whereby the Revenue advised the bank that it intended to apply to the special commissioner for the production of documents under section 20(8A) of the 1970 Act.

The proposed notice (20(8A)) sought production of "(1) Bank statements and other records sufficient to identify each transaction on the bank's part for the period 12 October 1992 to 12 April 1993, (2) The application for the bank to move for judicial review had been refused by Mr Justice Mummery and on its renewed application the Court of Appeal granted leave and then went on to decide the substantive application.

Mr David Golding, QC and Mr George Legg, QC for the bank; Mr Timothy Langan for the Revenue.

LORD JUSTICE MORRITT said that the Revenue's decision was contained in the letter of the 1970 Act. The material sections were substantially amended by the Finance Act 1976, 88, 1989 and 1994.

Section 20(8A) called for the Revenue to provide a list of the

documents of taxpayers and others. Subsections (1) and (2) dealt with the production of documents or information by the taxpayer himself. Subsection (3) dealt with the production of documents in the possession or power relevant to another person's liability for tax.

Subsection (7) provided that a notice under subsection (3) should not be given except with the consent of a general or special commissioner. Subsection (8) required that, subject as provided in subsection (8A), a notice given under subsection (3) should name the taxpayer with whose liability to tax the Revenue was concerned. Subsection (8A) enabled a notice under subsection (3) to be given without naming the taxpayer concerned if a special commissioner gave his consent.

It was apparent that the issue between the parties, namely whether a notice was permitted, would depend on the correctness or otherwise of the decision of Mr Justice Mummery in *R v O'Kane, Ex parte Northern Bank Ltd* (The Times October 3, 1996; [1996] STC 249). In that case, the judge had concluded that section 20(3) did not authorise a notice which required the production of information otherwise than in the form of a document.

He also held that the subsection did not authorise a notice to be given "in respect of conjectural, as distinct from actual, documents" because the recipient of the notice would have to search his records to ascertain whether he had any documents answering the description rather than merely producing the document as specified or described in the notice.

His Lordship agreed that notices given under subsection (8A) were not a subset of notices which might be given under subsection (3). His Lordship also agreed that a notice under both those subsections might only seek the production of documents.

There was no power to seek particulars or information such as was included in subsections (1) and (2). But it did not follow from the limitation on the powers conferred by subsections (3) and (8A) that the Revenue was not entitled to such information as might be derived

from the documents which were referred to in a notice.

If the description was permissible, the Revenue was entitled to such information as might result from its use. If it was not permissible, then the Revenue would obtain neither the documents nor the information. In that respect, there was no disagreement with the conclusion of Mr Justice Mummery in *Ex parte Northern Bank*.

His Lordship did not accept that the documents to which the notice related had to be limited to those which were known by the Revenue to be in the possession or power of the person to whom the notice was given at the time it was given.

The bank contended the wording of subsection (3) that "the documents" are in the possession or power "with that of other provisions which indicated merely that they might be. Such other provisions included section 20(8A)(4).

In his Lordship's judgment that the subsection involved a misreading of the subsection. The notice, if valid, cast an obligation on the recipient; the obligation so imposed was to produce documents; the documents to which the obligation extended were "such documents as are in his possession or power".

Thus the phrase made plain that the obligation did not require the recipient to obtain possession of or power over so as to be able to produce the document specified or described. If he did not already enjoy it, he was to apply to the prior question of what documents were or might be specified or described in the notice.

The point did not appear from his judgment to have been raised before Mr Justice Mummery in *Ex parte Northern Bank*. The bank accepted that it might be required to produce specified documents. But it contended that it could not be made to produce documents so loosely described as to require it, at its own expense, to carry out an investigation on behalf of the Revenue by a process akin to discovery of documents.

It sought to restrict its obligations by limiting the description permitted by section 20(8A) to one which did not extend to what in *Ex parte Northern Bank* Mr Justice Mummery had described as "conjectural" documents. The bank supported and adopted the analysis and application of the principle stated by Mr Justice Mummery in *Ex parte Northern Bank*.

The Revenue now contended that Mr Justice Mummery was wrong to categorise the documents as "conjectural" rather than "actual".

Under subsections (1) and (2) as it was to notices served on third parties under subsections (3) or (8A). Thus the words bore the same meaning in both contexts.

Further, an effective notice could not be given under subsections (3) or (8A) without the consent of the special commissioner and a notice under subsection (8A) was subject to the further safeguard provided for in subsection (8B). The consent of the special commissioner was also required under section 20(10) if it was sought to compel the production of a document more than six years old.

In his Lordship's view, it could not have been the intention of Parliament, in those circumstances, to restrict the description permissible in a notice under subsections (3) or (8A) to one which excluded classes or categories of documents which were not known to exist or to be in the possession or power of the recipient of the notice and which were to that extent conjectural.

Such restrictions would reduce the efficacy of the statutory power so greatly as to leave the Revenue with little more than the ability to obtain the original of a document which they had already seen.

Accordingly, his Lordship did not agree with Mr Justice Mummery that a notice under subsections (3) or (8A) might not include by description what he described as "conjectural documents or classes of documents identified only by description".

His Lordship saw no reason for restricting the meaning of the words "specified or described" in subsection (8D) to less than their normal meanings. The safeguards against the misuse of the extensive powers conferred by section 20 lay not in the construction of those words but in the other statutory conditions which Parliament had imposed.

In his Lordship's view, a notice in the proposed form was not objectionable on any of the grounds advanced by the bank. All the descriptions were sufficiently clear and specific.

Lord Justice Simon Brown and Sir Brian Neill agreed.

Solicitors: Travers Smith Brathwaite, Solicitors, Inland Revenue.

under subsections (1) and (2) as it was to notices served on third parties under subsections (3) or (8A). Thus the words bore the same meaning in both contexts.

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Restitutory remedy might have been possible

Brennan v Brighton Borough Council

Before Lord Justice Pill and Sir Christopher Slade

[Judgment May 7]

Although a judge had been right in deciding, under section 35(5) of the Limitation Act 1980, that the court had no jurisdiction to grant a plaintiff leave to amend his writ involving a new cause of action, his decision that, in any event, the statement of claim disclosed no reasonable cause of action, did not appear to have been made in a case which was sufficiently plain and obvious to justify the draconian remedy of striking out.

The possibility could not be ruled out that the trial court, after full investigation, might have considered it essential to allow the plaintiff a restitutory remedy to do full justice as between him and the defendants.

The Court of Appeal so stated in dismissing an appeal by the plaintiff, Frederick Thomas Brennan, against Mrs Justice Smith who on October 24, 1995, had allowed the appeal of the defendants, Brighton Borough Council, against the decision of a district judge and had ordered: first, that the plaintiff's application for leave to amend the writ of summons be dismissed and the statement of claim struck out; second, that, in any event, the writ and statement of claim be struck out as disclosing no reasonable cause of action.

Mr David Foster, QC and Mr David Hodge for the plaintiff; Mr David Mathias and Mr William Bojczuk for the defendants.

LORD JUSTICE PILL said that the dispute arose as a result of the plaintiff's involvement in a tennis centre in Brighton now owned and operated by the defendants.

The plaintiff identified the potential of a stadium, used by the Brighton Squash Rackets Club on land owned by the defendants, as a tennis centre. The plaintiff held discussions with representatives of the defendants.

It was claimed that it was recognised that "to enable recovery by the Rackets Club of... the development costs... the security of a 31-year lease of the completed premises in favour of the club was essential".

The statement of claim said: "... in or about June 1985, the defendant... advised the plaintiff that the Rackets Club be formed into a company... insisted that the plaintiff should control personally the venture through the medium of the company... because the venture depended for its success... on future sponsorship and it was in the field of obtaining sponsorship that the plaintiff... had particular experience and expertise. It was appreciated by the defendant that the... company was merely the corporate personification of the plaintiff."

Mr Foster said that it was arguable that the demands of justice required restitution. The Rackets Club was only the "conduit" a word used by Lord Justice Slade when considering the converse situation in *Kleinwort Benson Ltd v Birmingham City Council* ([1996] 3 WLR 1139, 1150), through which the plaintiff's funds enriched the defendants. He accepted that the claim was on the outer limits of the current boundaries of restitution but submitted it should not be struck out.

Solicitors: D. J. Freeman; Clifford Chance.

Particulars of expenditure of about £170,000 were given and it was claimed that the plaintiff injected further substantial sums into the project. The defendants provided a guarantee in a substantial amount.

In March 1988, when the project was substantially complete, the defendants, in breach of their contract with the club, refused to grant the 31-year lease.

A winding-up order was made on 12 October and the defendants took possession. Within a week they opened the centre to the public.

It was claimed that they acquired the centre, which had a value in excess of £1 million for the sum of £58,000 which was the extent of guarantees contractually provided by them.

It was conceded that the plaintiff had no contractual claim. The Rackets Club would have had a claim in contract but was without funds and the liquidator did not pursue a claim.

The plaintiff issued a writ in 1992 claiming damages for fraudulent misrepresentation and deceit. Following receipt of leading counsel's opinion on March 30, 1995 leave was sought to amend the writ. For all causes of action the limitation period had expired in October 1994.

After giving reasons why the appeal had to be dismissed, his Lordship said that the plaintiff claimed that the defendants had been unjustly enriched at his expense and should not be allowed to retain the benefit.

Mr Mathias accepted, for present purposes, that the defendants were enriched in that the value of the sports centre was greater than the amount they had to expend but claims that the enrichment was at the expense of the Rackets Club.

It was to the club that the plaintiff advanced money and for them he did work. There was no sufficient nexus between the plaintiff and the defendants.

The plaintiff's restitutory claim involved subversion of the doctrine of privity of contract. The Rackets Club was a separate legal entity and the plaintiff was not entitled to enjoy the benefits of its incorporation and at the same time ask that the corporate veil be lifted (*Salomon v Salomon & Co Ltd* [1897] AC 22).

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Solicitors: George H. Coles & Co, Hove; Mr Robert A. Divine, Brighton.

In *Weendeutsche Landesbank Girozentrale v Islington London Borough Council* ([1996] AC 669), decided after Mrs Justice Smith had given judgment, Lord Goff of Chelmsford said (at p697): "I recognise that... the courts would be breaking new ground, and would be extending the equitable jurisdiction to a field where it has not hitherto been exercised."

"But that cannot of itself be enough to prevent what I see to be a thoroughly desirable extension of the jurisdiction, consistent with its underlying basis that it exists to meet the demands of justice. An action of restitution appears to me to provide an almost classic case in which the jurisdiction should be available to enable the courts to do full justice."

Claims in restitution are founded upon a principle of justice, being designed to prevent the unjust enrichment of the defendant: see *Lipkin Gorman v Karpnale Ltd* ([1991] 2 AC 548).

"In my opinion, the jurisdiction should now be made available, as justice requires, in cases of restitution, to ensure that full justice can be done. The seed is there, but the growth has hitherto been confined within a small area. That growth should now be permitted to spread naturally elsewhere within this newly recognised branch of the law."

"No genetic engineering is required, only that the warm sun of judicial creativity should exercise its benign influence rather than remain hidden behind the dark clouds of legal history."

His Lordship saw considerable force in the submissions of Mr Mathias, particularly that based on the principle in *Salomon*. However, given the relationship between the plaintiff, the Rackets Club and the defendants, the conduct of the defendants and the enrichment of the defendants which resulted, he would not have been prepared to hold that it was a plain and obvious case in which the jurisdiction to strike out should have been exercised.

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Power to order disclosure of funding third party

Abraham and another v Thompson and others

Before Mr Justice Lloyd

[Judgment May 12]

A court's power to stay proceedings, because of the way the plaintiff's action was being financed, was not limited to illegal champertous undertakings but extended to funding by third party who would not succeed, not satisfactorily accept liability to pay the defendants' costs awarded at trial.

It followed that if a court had power to order disclosure of the persons funding the plaintiff's action where there was a genuine doubt as to whether the plaintiff was personally paying the costs of the action and whether he or any third party funding would meet any costs order made in the defendant's favour against the plaintiff at trial.

Mr Justice Lloyd said in the Chancery Division, taking an order that the plaintiff, Roger Adrian Abraham, disclose to the fifth and sixth defendants, Domingos Antonio Martins Silva and Jose Humberto Midonza, de Sousa, an affidavit whether and if so what third parties had provided all or any substantial part of the money to fund his part of the

action from the date those defendants were joined on April 1, 1996.

Mr Michael Bloch for the fifth and sixth defendants; Mr Kenneth MacLean for the first plaintiff.

MR JUSTICE LLOYD said that the plaintiff's action against eight defendants was due for trial on June 3 and estimated to take four weeks. The main battle would rage between the plaintiffs and other defendants.

The fifth and sixth defendants, Portuguese nationals and residents, were executive directors of a Portuguese company, Planal. It was not a party, but the subject of the plaintiff's major allegations in the action.

Damages were sought against the fifth and sixth defendants for assisting or procuring breaches of a contract between the first plaintiff and the first defendant, involving the alleged sale of Planal's assets at an undervalue.

Concern arose as to whether the plaintiff was paying his own legal costs and whether he would be good for the defendants' costs if ordered to pay them at trial.

On March 26, the defendants' solicitors asked for disclosure of the identity of the person funding the plaintiff's legal costs, stating that if the funder were not resident in the European Union an application would be made for security for costs.

An application for security for costs against the plaintiff, resident in Portugal, by the other defendants in 1996 had failed on the ground that he was resident in the European Union.

The plaintiff refused disclosure. On April 21 the defendants applied for an order for disclosure of the identity of the funder. The plaintiff put in no evidence but challenged the court's jurisdiction and relied on deficiencies in the defendants' case.

On jurisdiction, it was common ground that if the defendants succeeded at trial and costs were ordered against the plaintiff, if his costs had been financed by a third party the court had jurisdiction to order costs against that third party in favour of the defendants under section 51 of the Supreme Court Act 1981. The defendants argued that the court also had jurisdiction to order the plaintiff to disclose whether there was a third party funder as in *Singh v Observer Ltd* ([1989] 2 All ER 751).

The plaintiff submitted that the section 51 jurisdiction could not yet be invoked. The power to order disclosure of information was only ancillary to some other primary jurisdiction. Here it would be ancillary to no power the court had. The defendants could not apply for security for costs against a third party within Order 23 of the Rules of the Supreme Court, which provided a complete regime.

Neither could the defendants get round the failure of those rules to provide for the case by invoking the general jurisdiction of the court. Having no jurisdiction to make such an order, therefore the court could not make an ancillary and preparatory order for the disclosure of information: see *C. T. Bowring & Co (Insurance) Ltd v Corsi Partners Ltd* ([1994] 2 Lloyd's Rep 567) where Lord Justice Millett had said that the possibility in an extreme case of the court giving

security for costs outside the exhaustive code of Order 23 should not be regarded as letting in by the back door a general inherent jurisdiction to order security which did not exist.

Two recent cases were in point. In *Branton v McCelland* (Jurisdiction, November 1996), a libel action maintained by French company was stayed pending a satisfactory undertaking as to costs. Lord Justice Kennedy in *Condillie v Hislop* ([1996] 1 WLR 1532) explained that decision (at p1532) on the basis that the court was entitled to protect its own procedures.

In his Lordship's judgment, the court did have power to stay proceedings on grounds concerned with the way in which they were being brought or prosecuted. That was clear in being amounting to champerty which was contrary to public policy: see *Groveend Holdings plc v James Capel & Co Ltd* ([1995] Ch 80).

There were of course cases where it was legitimate for a third party to support one party without liability for the other's costs if the supported party was ordered to pay those costs: see *Condillie v Hislop* where the supporter was the plaintiff's mother, and *Murphy v Young and Co's Brewery plc* (The Times January 8, 1997; [1997] 1 All ER 518), a company paying under a legal expenses insurance policy with limited cover.

However, there were circumstances, not limited to champerty, in which the court might stay the plaintiff's action because of the way it was being financed. The court therefore had power, before trial, to stay the action if the plaintiff were being funded by a third party who would not or could not satisfactorily accept liability to pay the defendants' costs if the defendant's application for disclosure of information was successful.

On the facts it was reasonable to infer that the plaintiff's costs of the heavy action were being provided

by offshore trusts he set up to divest himself of United Kingdom assets and avoid tax.

There was reason to suspect that if the plaintiff were to lose, an order for costs made against him would be difficult to enforce against the maintainers.

Accordingly, the defendants had shown a sufficient prospect that the court might stay proceedings in advance of judgment unless a sufficiently solid undertaking to answer for the defendants' costs were given by the maintainers. The defendant's application for disclosure of information was successful.

Solicitors: D. J. Freeman; Clifford Chance.

There was a danger in overcomplicating the exercise of a discretion and a danger that Court of Appeal decisions were seen as bylaws down rigid rules rather than decisions on the merits. But there had been a hearing.

Their Lordships were here concerned with the late issuing of a notice of appeal in a case involving automatic strike out where the decision was that there had been a failure to request a hearing date prior to the guillotine date.

His Lordship did not see that it was very different from an appeal from a decision dismissing an appeal on the basis of procedural failure as in *Savill*. His Lordship did not think that it was possible that the judge should have distinguished *Savill*.

It was perfectly open to him to say that there was simply no explanation before him, good or bad, for the delay in issuing the notice of appeal and on that basis refuse to extend time.

Lord Justice Brooke agreed.

Solicitor: Connell Smith, Worcester; Everatt & Co, Evesham.

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FILM 1

Ewan McGregor may have hit the cinematic big time, but he got his start in an 11-minute short



FILM 2

At the Cannes Film Festival, Ingmar Bergman delves into his parents' past in *Private Confessions*...

THE ARTS



FILM 3

... while Sigourney Weaver heads an excellent cast in Ang Lee's latest, the impressive *The Ice Storm*...



FILM 4

... an actor John Depp comes cropper in his first directing effort, *The Brave*

Eleven minutes of fame

CINEMA:
Andy Lavender
on Ewan
McGregor's big
short break

You doubtless remember Ewan McGregor, shaven-headed and heroin-ravaged, in *Trainspotting*. You recall him collaborating with his flatmates in the dismemberment of a dead lodger in *Shallow Grave*. Or submitting to the artful ministrations of his calligrapher-lover in Peter Greenaway's *The Pillow Book*. But do you also remember the Byronic-haired young man grieving the death of his brother in black-and-white in *Family Style*?

At 11 minutes long the film was easy to miss, but it still glimmers in McGregor's memory. Its writer, Matthew Cooper, provided one of the winning scripts in the first season, four years ago, of the Lloyds Bank Channel Four Film Challenge. McGregor had already shot to prominence in Dennis Potter's *Lipstick On Your Collar*, but *Family Style* also proved something of a calling card.

"I've never had a showreel as such," he says, "but I was so proud of the film that I showed it to a lot of people. It's been really useful to me." Useful, too, to its creative team. Cooper is now writing a feature film screenplay for British Screen/Miramax, and director Justin Chadwick has just made another short film starring McGregor.

The Film Challenge has propelled the careers of a respectable list of young writers and directors, and another



Ewan McGregor, star of *Trainspotting* and, more recently, television's *ER*, attributes his initial success to the Lloyds Bank Channel Four Film Challenge

batch of newcomers are now knocking on the door. This year's six winning entries have just been announced, and their work will be screened on Channel Four in the autumn.

Maureen French and Kate Iles of Compulsive Viewing, producers of the series, received more than 2,000 scripts from wannabe writers aged between 11 and 25. "Young people tend to deal with quite large issues," says French.

"Loss, death — always a lot of death — and characters on personal emotional voyages. You get quite a lot in the style of the latest big hit on TV or in the cinema. Many of them were sub-*Trainspotting*. The year before, a lot of them were sub-*Four Weddings and a Funeral*. But in my job I get a huge amount of scripts coming across my desk, and I can honestly say that the most refreshing come from this

scheme." French and Iles reduce their mountain to a molehill of 30 scripts, whose creators are invited to a day's workshop in Manchester or London. They meet professionals from the industry, go through common problems and procedures and are given half-an-hour's individual tuition on their project. They can then rewrite their work and the new batch is whittled down to a shortlist of 18 scripts which are read by a team of judges from within the film and TV industries.

Four of the six winning writers this year are women. The youngest, Kathryn Pugsley, is 17 and is in the midst of A levels. The realisation of each film is also in the hands of relative newcomers. Each writer is matched with a director aged under 30. "The directors are a bit further down the line," explains French. "They will have

made one or two short films, and possibly worked for the satellite TV companies, but they won't have been employed by network television."

French and Iles look through 450 showreels then interview 30 aspirants — a reminder of the hordes of young people making their bid for recognition.

McGregor is in no doubt as to the scheme's value. "Matthew Cooper was 17 when we worked with him," he says. "This guy is just driven to write, and if it wasn't for something like this, he would never have been found out, unless it was years down the line when he finally plugged through. This was an incredibly nice way in for him, a great window, and one of the only windows there are to get a short film made and get your work seen."

Each film is shot in three days. "It's a really intense

learning process for both the writers and the directors," says McGregor. "You're being shown the way and helped out by people who know how it works, but you don't have to adhere to anyone. You're just doing it because somebody likes your work."

The Challenge is obviously a precious stepping stone for young artists, but it also restores the gleam of one of cinema's lost jewels, the short film. "The short has become an odd-thing-out, which is a shame," says McGregor. "A props master on *Shallow Grave* directed a short called *The Last Ten Minutes*. It went out in a lot of cinemas before *Shallow Grave* as a B-movie, if you like, and it was brilliant. I remember how nice that was. "You've got to make your short film to be seen and to get into the industry. There has to be that opportunity for talented people."

Picking plums out of Cames

Geoff Brown samples the dull and the delicious at the film festival

American backpacker overheard on the Rue d'Antibes: "Let's see if we can find McDonalds." The emporium was straight ahead, beyond a new branch of Planet Hollywood, opened in time to host the more showbiz-oriented Cannes parties. Cannes likes to eat fast food too, though most of the critics are more interested in escaping the diet they get all too easily back home.

So what have the great chefs of world cinema been cooking? Francesco Rosi, now in his mid-seventies, provided an earnest, largely dull treatment of Primo Levi's book *The Truce*, describing the writer's trek home from Auschwitz after the Second World War. John Turturro performs creditably as the young intellectual observing from a distance; but the project's lengthy preparation seems to have dampened Rosi's fire.

Marco Bellocchio, another Italian revered more for his past than his present, served up a German play, Kistner's *The Prince of Homburg*, drenched in a stylised, almost fairy-tale sauce. It was not to most tastes, though if you focused hard there were minor pleasures in the shadowy visuals and the inner torment of the Prince (Andrea Di Stefano, a brooding newcomer).

Ingmar Bergman offered a bigger feast in *Private Confessions*. He was not the director: Liv Ullmann performed that function, holding tight to the cast's faces. But he wrote the script, delving into his parents' past as in *The Best Intentions*, describing — with insight — a stale marriage and its adjacent affair. Players, too, come from *The Best Intentions*: Pernilla August is admirable as the wilful wife. Wim Wenders was also strutting his stuff. These days he's quite a globe-trotter: for *The End of Violence* he visited LA, wrapping a standard paranoia thriller in enough fancy

art-house pizazz to disguise it completely. Bill Pullman plays a Hollywood producer whose trademark is stylised violence. (See an FBI file lands in his mail, he experiences voice at first hand and starts a new, a murder susp., confounding wife and office. Wenders surveys the scene with an artist's eye but ruins the effect of careful sequences with crosscutting and shallow philosophy.)

Ang Lee was in firm control for *The Ice Storm*, one of the competition's most satisfying entries. The Taiwanese director brings a foreigner's eye to the place and period: a wealthy Connecticut suburb in 1973, when an ice storm blows in during Thanksgiving.

The manners of the time are crucial, for Rick Moore's novel (based on parents at children caught in cross-winds from the Sixties, testing boundaries, searching for their inner selves). Kevin Kline and Sigourney Weaver head an excellent cast, alert to the humour; this portrait of implosion in families.

Away from the competition, Nery came up smiling with *Junk Mail*, a compact black comedy shot in shades of mucky green, about a woman who lands in hot water poking into other people's business. First-time director Pål Steierud displays offbeat humour and delight in dingy, misty lives.

John Depp should think twice after abandoning acting after a directorial debut *The Brave*, a mess of foolish images rung round the plight of Native American facing his last week of life. This was one of those movies unveiled at the press at 8.30 in the morning: not the best time for watching frighteningly sightless sex silhouetted against orange sun, or Marion Lando playing the harmonic.

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■ FILM 5

Muhammad Ali meets George Foreman in the Oscar-winning documentary, *When We Were Kings*

■ FILM 6

Unimaginable beauty and terror are revealed in *Microcosmos* — and the only actors in it are insects

THE FILMS ARTS

■ FILM 7

A natural history museum is under siege in the tiresome new horror thriller, *The Relic*

■ NEW VIDEOS

Plenty of oompah: *Brassed Off*, Mark Herman's film about a Yorkshire colliery band, is available to rent

CINEMA: Geoff Brown sees Ali and some heavyweight creepy-crawlies battle for top honours. Plus video reviews

Muhammad when he was the mountain

Non-fiction, cinema makes a strong showing this week. It helps enormously that the main attraction of *When We Were Kings*, this year's Oscar winner for Best Documentary Feature, is Muhammad Ali: what fictional creation could compare with this charismatic, principled and playful giant, who boxed and talked his way into history and became a beacon of Black Power?

Leon Gast's joyous film, in the works for 22 years, takes us back to 1974, when the flamboyant Ali was pitted against the sullen world heavyweight champion George Foreman in a fight known as the "Rumble in the Jungle". This was no ordinary contest. It took place in Zaire, President Mobutu was willing to pay for the world's attention and, as Ali reasoned, a boxing contest was cheaper than going to war. The wily promoter Don King surrounded the event with a festival of black music. Hoping to film an Afro-American *Woodstock*, Gast, maker of documentaries on Hell's Angels, gangs and the Grateful Dead, came over. When the fight was delayed for six weeks he stayed put, filming Ali as he mingled with crowds, weakened Foreman with psychological warfare, and charmed the world's press.

The contest, cockade on October 29, with Foreman felled by Ali's punch in the eighth round. Gast himself was far from victory, for he had no money to process his footage. Over the years, the project's focus changed: the music crept to the sidelines, and Ali morphed to centre stage. Archive footage was deftly woven in to flesh out the portrait. Hollywood's Taylor Hackford lent his expertise, and new interviews were conducted with "rumble" onlookers such as Norman Mailer, and the ubiquitous Spike Lee.

Nothing they say, however, matters next to the words and actions of the exuberant Ali. Vintage 1975: a hero who makes modern sports stars look soulless and grey. If you fear films about boxing, be pacified: this is a film about humanity triumphant.

There is no technological reason why cinema must have a human face. You can make a film from abstract patterns.

You can train the camera's lens on machinery, mountains, bread and butter, blood, corpses, dust mites or copulating gnats. These subjects, however, have remained the preserve of fringe groups: experimentalists, scientists, suppliers of classroom material. Most people are happier if the films feature Johnny Depp, Demi Moore or Gérard Depardieu.

Microcosmos reveals what we are missing. Its actors are insects, shot over a three-year period in a meadow in the Aveyron region of southern France. This astonishing film takes us through their day, from dawn to dusk, by the miracle of microscopic photography. There is unimaginable beauty and terror in the world under our feet. Falling raindrops become cannonballs. Blades of grass form an impenetrable forest. Spiders, beetles, ants and humble bees fill the screen, making love and war, and suffering the comic accidents of daily life. What price Buster Keaton when you can laugh at the dung beetle pushing its load over rough terrain, stumbling over, rolling backwards: the myth of Sisyphus in insect form.

But human footprints are everywhere in *Microcosmos*.

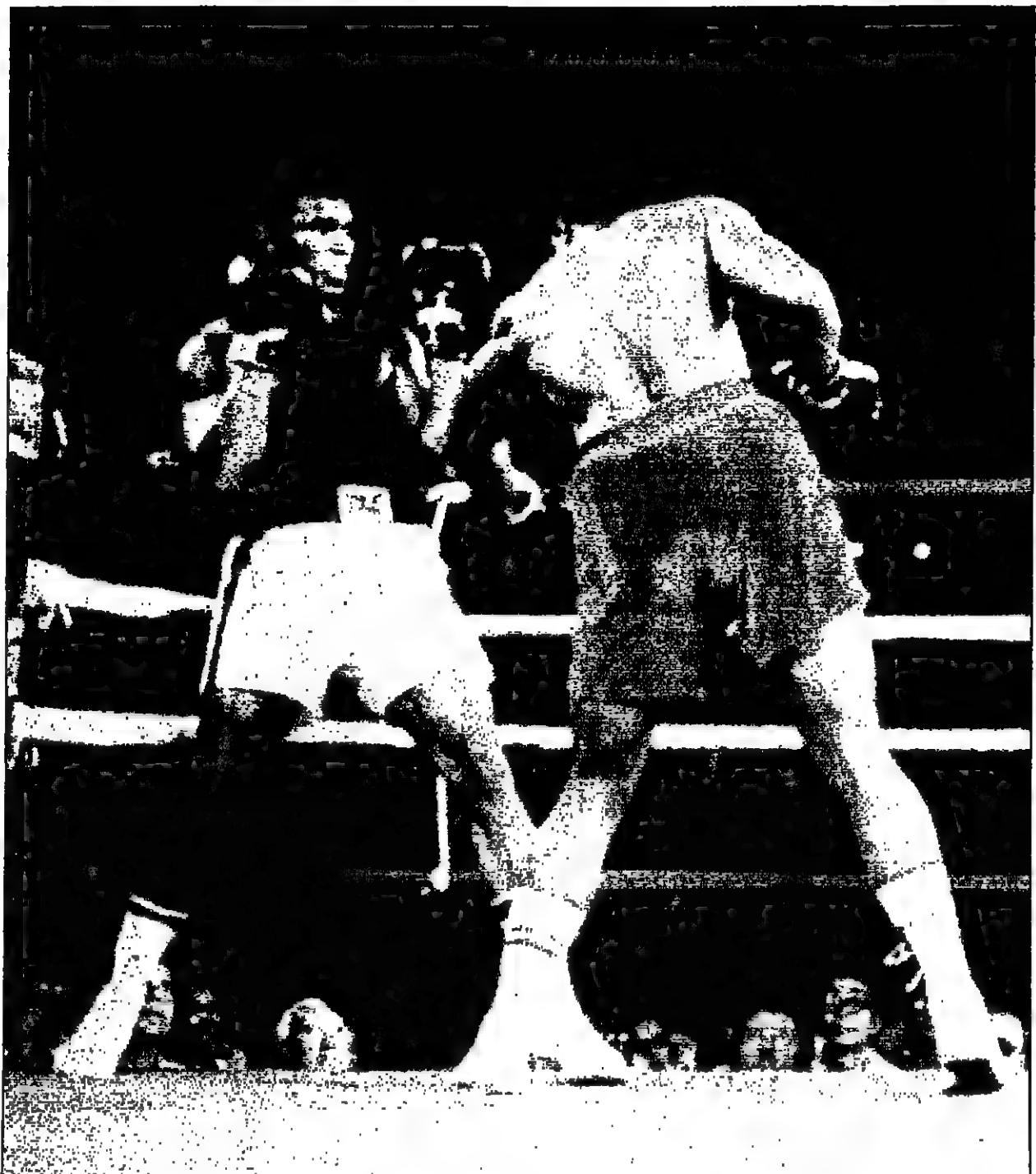
This is no raw slice of life: the insects' day has been stage-managed by the directors, Claude Nuridsany and Marie Perennou, two biologists with a showman's instincts. Editing and music avoid the anthropomorphic excesses of Disney's *The Living World*, but the film is still heading in that direction. Everything is a little over-processed, which prevents the images ever finding their own identity and soaring up into the surreal realm of Jean Painlevé's famous short films about underwater life (now available on video).

Within its limits, though, *Microcosmos* offers a wonderful feast from an unknown world. Here are dewdrops vanishing with the sun's rays. A ladybird breakfasts on a greenfly. Two snails go to it on a bed of moss. Dragonflies give a beautiful air show; the bizarre argyronet spider steals air bubbles from the surface of water to create a diving bell. You want violence? Here it is in plenty: an ant heap destroyed, caterpillars paralysed by wasps and fed to their larvae, stag beetles bashing each other to bits. If this cast were human, the film's certificate would be 18; why, it might even be banned.

There is no narration. No species names are supplied until the final credits: you are encouraged to stare, not learn. But you are staring, at least, at miraculous sights that make your average fictional movie shrivel in the mind to nothing.

The very title, *Killer: A Journal of Murder*, chills the bones, and the news that Oliver Stone served as executive producer hardly warms us up. Then consider the actor who plays the killer: James Woods, expert at playing nasty excuses for human beings, like his braggart racist in the current *Ghosts from the Past*. His character is Carl Panzara, a prisoner in Leavenworth in 1929. Arrested for burglary, he later admits to killing 21 people, and to prove his point bludgeons to death a sadistic prison officer.

But this movie, made in 1995 by a first-time director, Tim Metcalfe, is far from being an exercise in perverse titillation. Based on a true story, it draws an absorbing drama from the relationship between this unrepentant criminal and the young, bespectacled, liberal



Muhammad Ali boxes his way into history in the joyous *When We Were Kings* — a film about humanity triumphant

SNAP VERDICT

'Ringside punch'

Every week, young film fans discuss some of the latest releases...

□ WHEN WE WERE KINGS

Leslie: Isaiah Thomas, 18: As someone who despises boxing, I was surprised by this portrait of a highly intelligent and spiritual man. Damian: Samuel, 19: Take up your ringside seat for a film that has a real punch. Tim: Thornton, 21: A fascinating documentary rendered cinema-worthy by Ali's knockout performances in and out of the ring. Sarah: Crook, 18: Champion!!

□ KILLER: A JOURNAL OF MURDER

Leslie: It killed me with its lack of originality. Damian: *The Shawshank Redemption* and *Silence of the Lambs* meet in this run-of-the-mill thriller. Tim: Another film which presents the serial killer as charismatic. Sarah: James Woods was great but the Disney-style narrator was risible.

□ HIGH SCHOOL HIGH

Leslie: My chuckle-o-meter peaked. Damian: St Trinians for the 1990s: a side-splitting comedy. Tim: Jon Lovitz remains just this side of irritating in this one-liner filled romp. Sarah: Hilarious riot.

NEW ON VIDEO

■ BRASSED OFF

Film Four, 15, 1996. A YORKSHIRE colliery band fights for survival in this fluently made British film from director Mark Herman.

The year is 1992. Pits are closing, but the band is up for the National Championships. What to do? The ingredients don't always blend: lots of oompah and heart-warming comedy, plus shameless melodrama and a dash of social realism. The cast includes



Tara Fitzgerald in the very British *Brassed Off*

Ewan McGregor, Pete Postlethwaite and Tara Fitzgerald. Available to rent.

■ A BILL OF DIVORCEMENT

Cinema Club, PG, 1932. AFTER a series of eye-catching stage performances, Katharine Hepburn made a notable screen debut as the loyal daughter in Clementine Dane's melodramatic play. You can see the seeds of future greatness, although acting honours remain with an unusually controlled John Barrymore as the insane husband who returns home, cured, to find his wife (Billie Burke) about to remarry. Heavily dated, but still very watchable.

■ LE BONHEUR EST DANS LE PRE

Guild World Cinema, 15, 1996. LAVATORY seat manufacturer Michel Serrault flees domestic woes and a screaming wife by attaching himself to Carmen Maura's family, 300 miles to the south. Edienne Chastille's very French comedy features plenty of food and drink, Eric Cantona and his brother Joel, and a slim premise stretched too far. The cast's skills and allure keep you watching. Available to rent and buy.

■ DRACULA

Warner Terror Vision 15, 1958. AFTER dishing up *Frankenstein* in succulent colour, Hammer found even greater popular success with Bram Stoker's famous character. Cameraman Jack Asher and the art department go to town with red velvet curtains, stone-flagged corridors and menacing shadows, while director Terence Fisher's measured pace allows us plenty of time to sup on the horrors. Christopher Lee's bloodthirsty Count blends menace with suave charm, while Peter Cushing is an incisive adversary as Van Helsing.

■ THE WIND IN THE WILLOWS

Fox Guild, U, 1996. DISAPPOINTING adaptation of Kenneth Grahame's children's classic, set in an England of green fields, steam trains and animals in pull-overs. Writer, director and Toad impersonator Terry Jones threatens the original's gentle charm with heavy Pythonesque humour. Jones's cohorts include Eric Idle (Rat), Steve Coogan (Mole) and Antony Sher (Chief Weasel), but the effect they make, like the film as a whole, is very haphazard. Available to rent.

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G. M. Trevelyan began it all with his definition of social history as history with the politics left out. But his version was so popular because his vision of the English past turned out to be so familiar. Trevelyan's pages contained no subversive surprises. Readers of his *Illustrated Social History of England* would be entertained, charmed, delighted, but they would ultimately be reassured.

What I notice most about books like this, however, is less the magnificence of the medium than the bland agreeableness of the message. The historical equivalents of *Hello!* magazine wisely contain little to deter prospective purchasers. Consumerism, Brew-

By John Brewer
HarperCollins, £30
ISBN 0 00 255537 9

No foxhunting squires or gin-swilling mobs intrude (even the Wilkesite urban artisans are deselected — no "old labour" here). This is a book about "high culture", and that means, for Brewer, the world of authors, publishers,

As an organising category, cultural entrepreneurship should never be underestimated. Then as now, authors who neglected marketing were sunk, as Sir John Hawkins's history of music was rubbished by Charles Burney to promote his own book on the subject, and as the same Hawkins's life of Johnson was successfully denigrated to promote James Boswell's. No matter if Hawkins's books were better, on both subjects.

This is a book which you might give without qualms to your teenage children. It will do them no harm. They will be informed, and entertained. They might be less than grateful only if they have been taught to think of the past as a body of evidence of which historians ask hard questions and demand important answers. But, in today's schools, there is evidently little danger of that.

Jonathan Clark is a contributor to Virtual History: Alternatives and Counterfactuals, edited by Niall Ferguson and published by Picador, priced £20.

She works out that Masaccio adjusted the mathematics of his vault to make it visually correct — the maths is faulty, but it looks right to the observer on the ground.

Such verve is characteristic of this compelling book. Field takes us into the everyday world of craftsmen's calcula-

By Alfred W. Crosby
Cambridge University Press,
£19.95
ISBN 0 521 55427 6

tions, and shows us an emerging mathematics of solid forms and projective geometry. As the technical sophistication of these increases, so too does the virtuosity of contemporary paintings — many of which are reproduced in this lavishly illustrated book. Mathematics and arts are clearly equally delightful for Field, and she transmits that enjoyment to the reader. Field still dreams about Masaccio's brushwork. I was left with an

If Field makes the reader believe that with a little application any of us can grasp the subtle relationship between technical mathematics and high Renaissance art, Alfred Crosby's *The Measure of Reality* brings us down to earth with a bump. Crosby's project is to show that number and precise measurement were the motor that drove the success of Western imperialism.

In the course of the 15th century, he argues, West Europeans evolved a new, more purely visual and quantitative way of perceiving time, space and their material environment. "They thus became world leaders in science, and created many of the greatest masterpieces of Western music and painting." The claims that Crosby makes are sweeping; they also turn out to involve an awful lot of arm waving in place of any real explanation.

Mostly, though, the tantalising fragmentary glimpses of the quantified world — the clock, navigation, musical notation, book-keeping — yield large, unsubstantiated generalisations. Besides these being largely rhetorical devices, they are also probably not true. "There were no people on earth more concerned with coins than Westerners, no people who worried more about their weight and purity, no people on earth more obsessed with counting and counting and counting." What about the much admired mercantile and banking practices of 15th-century Muslims to the East?

Crosby's limitations are nowhere more evident, inevitably, than when he comes to deal with perspective in art. "Artists of the Renaissance avant-garde, who were often architects, engineers, artisans and mathematicians as well as painters, were obsessed with space-as-geometry." Crosby proceeds to quote Piero della Francesca's arithmetic on how to calculate the volume of a barrel of flour, leaving the reader bewildered as to how this might have helped a painter's understanding of perspective. No climbing on the scaffolding to give the reader a closer look here.

Lisa Jardine's Worldly Goods is published by Macmillan, priced £25.



WEDDINGS can make even the most well-adjusted families behave like latter-day Montagues and Capulets, and the traditional rivalry between bride's and groom's side in Dakota's Evan West's humor and disquieting novel is further exacerbated by religious intolerance. Allison Pennypacker, only daughter of a New England family proud of its Whig roots, becomes engaged to Solomon Benaviste, whose family is Jewish. For Allison's fiercely devout mother, Louise, the proposed wedding is a calamity — a view shared by Miriam, Solomon's beautiful, widowed mother.

Christina Koning

THE SWINE'S BEDDING

By Daniel Evan Weiss
Serpent's Tail, £11.99
ISBN 9 781852 434100

Christianity by the Inquisition, and contemptuously referred to as *marranos* (swine) by their oppressors. The more she reads of the appalling cruelties to which her ancestors were subjected in the name of Christ, the more determined Miriam becomes that her only son must not be allowed to betray his heritage, by getting married in a Christian church.

As even this brief summary will suggest, Weiss's novel deals with serious ideas, but does so in a way which is almost surreptitious, so that one never feels one is being preached at or hectoring. In fact, despite the harrowing nature of some of its material, notably the passages describing Miriam Benavente's imagined reconstruction of the horrors of an *auto-da-fé*—this is a very enjoyable book.

The device of sharing the narrative between Allison and her reluctant prospective mother-in-law quickly provides lines the book's main theme as well as providing some of its best comic moments.

The family dinner where Solomon is first exposed to Louise Pennybaker's clodde sending bigamy is one such episode; another is the initial encounter between Allison and Mariam, whose subtly differing accounts of the meeting point up the ironies of their relationship. Unusually, for a novel by a male author, men play an almost entirely passive role in *The Swine's Wedding*. It is the women who are most forcefully realised, and who are given the first—and last—word in this tale about star-crossed lovers.

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Alistair McAlpine

DIARIES

1967-1987
By Roy Strong
Weidenfeld & Nicolson, £20
ISBN 0 207 81811 4

On Saturday, May 3, during an interview with Jason Cowley, Sir Roy Strong claimed that he wanted to be forgiven. "I want to be forgiven — no more feuds," said Sir Roy. His diaries, he claims, are a work of reconciliation. If these diaries seek reconciliation then the reincarnation of Amila the Hun is a suitable applicant for the post of director at the Victoria and Albert Museum.

What may set out, in Sir Roy's mind, have set out to be a work of reconciliation has turned out to be a tragedy. A tragedy for Sir Roy because, in as much as he really tells us anything about himself, he describes a highly intelligent fellow, perhaps even a genius, perpetually set upon by the forces of evil who try to keep him from his true destiny, greatness. The other characters in this drama — and almost every name from the list of the good and the great play a part — are, however, never touched in any depth. There are no insights into their characters, just descriptions of

their dress, upholstery and floral arrangements. They dance around the poor fellow as he bemoans his ill-fortune; he seems unable to decide with any consistency whether they are evil spirits or good fairies. Lord Carrington, for instance, comforts him in his distress and attempts to guide

him through adversity. A kindly fellow, he is treated warmly, in 1955: "Carrington came to see me, probably very low on money. Probably because of the war. I had written a book attacking him. We were now at the end of the road. He knows that he has been a flop. He was good at the start, marvelous at the charrn; upfront, eating and a twinkle. But this year it has all been beyond him. He craves in every time to be a heavy gang. He was completely overruled by them at the last trustees' meeting when he was forced to accept a cardinal voluntary donations. He sits there listless and moping around, with no edge and not an original thought and no help at all. He is a fair-weather prodigy."

It seems that all the wretched Lord Carrington was trying to do was to tell strong bad news kindly — that the core of his trustees at the V. A. had no time for him. These diaries have the prick of the cat's claw about them. Some people, however, may

with the problem of his trustees and their director.

It is strange that Strong should take against Conran's commercial instincts. He quotes him, saying about Roullard's bust of Lord Chesterfield: "What do we want a work by that foreigner for? I know someone who can make a copy of that, so you'd not notice the difference." It was Strong's commercial streak that attracted him to Conran. It was Conran's publishing company, Conran Books, that commissioned Strong's best-selling work, *Creating Small Gardens*. It was an inspired choice. The combination of that title and Sir Roy Strong was a tremendous success: the book sold over a quarter of a million copies.

The best diarists are not people who direct events. It is so in the cases of Nicolson, Clark and Channon. So it is with Roy Strong. His diaries are literate and in the most part entertaining. They are also, more importantly, an invaluable reference book for those who have an interest in the people who have made up Britain's establishment during the last quarter of the 20th century.

Lord McAlpine's memoirs, *Once A Jolly Begman*, are published by Weidenfeld & Nicolson.

Diplomacy at a certain expense

Hong Kong's first Governor quarrelled with London but got on with the Chinese, finds Percy Cradock

With so many books on the last Governor of Hong Kong coming off the press, it is a relief to turn back to simpler times and read about the first in the line: Sir Henry Pottinger, proclaimed Governor on June 26, 1843, also Chief Superintendent of Trade, Plenipotentiary and Minister Extraordinary. In his official portrait he sits holding the Treaty of Nanking, which concluded the First Opium War and made Hong Kong Island a British possession. He looks sturdy and threatening. Not a conventional diplomatic figure.

His background was Ulster and India. He had an Irish brogue and a short temper. He began as a lieutenant of infantry in the East India Company's service, fought in the Maratha Wars and graduated to political agent. As Resident in Sind, he browbeat the Amirs and secured safe passage across the desolate First Afghan War. He went on to other colonial appointments, unwillingly to the Cape Province and finally back to India as Governor of Madras. Hong Kong was only an interlude in a long career, though this biography naturally seeks to make it the centrepiece.

What did he accomplish in China? The author argues that without him we would never have obtained Hong Kong. Certainly in Whitehall there was no great appetite for acquisition. Lord Palmerston preferred arrangements for opening up several treaty ports on the China coast, and, if we had to have an island, would have opted for one further north. Lord Aberdeen, his successor as Foreign Secretary, saw islands as useful bargaining counters but to retain one "would be attended with great and certain expense".

Lord Stanley, at the Colonial Office, another of Pottinger's masters, wanted all building on Hong Kong halted. It was a confused time: in the course of the hostilities with China, a Tory Government took over from the Whigs. There was a new Governor-General in India (whose jurisdiction also covered China), instructions from London took months to arrive.

Among these uncertainties and hesitations Pottinger stuck to the need for Hong Kong and was sufficiently successful in his military and diplomatic operations to be able to present the acquisition to London as a fait accompli. Peel gracefully gave way and approved *jeux de joie* at the Tower and Hyde Park to mark the

conclusion of the Nanking Treaty. Poor Captain Elliot, who two years earlier had first taken Hong Kong, but had then been outmanoeuvred in negotiations with the Chinese, had had a different reception: he was reprimanded and recalled. As the book notes, Pottinger, however unpolished as a diplomat, was shrewd in handling the authorities in London. It was the right combination of qualities for the time.

Dealing with the Chinese required less finesse. With a fleet of 72 vessels to hand, and with two ships of the line moored under the walls of Nanjing, it was merely a matter of repeating British demands and setting a date for the bombardment. According to a Chinese report, "to all representations, the barbarian

Pottinger only knit his brows and said, 'No'."

Negotiation was easier in those days. As Governor, Pottinger was given the widest of briefs. Lord Stanley told him "methods of proceeding unknown in other British Colonies must be followed." He was interfering and irascible. He quarrelled with his service chiefs and, as Governors have done since, with the British merchants.

Curiously, he got on well with the Chinese. One of the oddest episodes in Sino-British relations at the time was the visit to Hong Kong in June 1843 of Kiyong, the Imperial Commissioner, who came to exchange ratifications of the treaty. Kiyong embraced Pottinger as a brother, offered to adopt the Governor's son and persuaded him to exchange pictures of wives.

The English "barbarians," he told the Emperor, "think much of women and little of men." For a time this style of softening the enemy was in favour in Beijing, but later, as Western depredations continued, the wind changed and Kiyong was sent a silken bowstring with which to strangle himself.

This is a pleasant but undistinguished biography. It brings little new information, on China at least, and Pottinger, who was a distinctly lively man, never quite comes to life in it. But it is interesting to look back, particularly this year, to an historic moment, the first forcible encounter between China and the West, and to remember one of the leading and more fortunate actors.

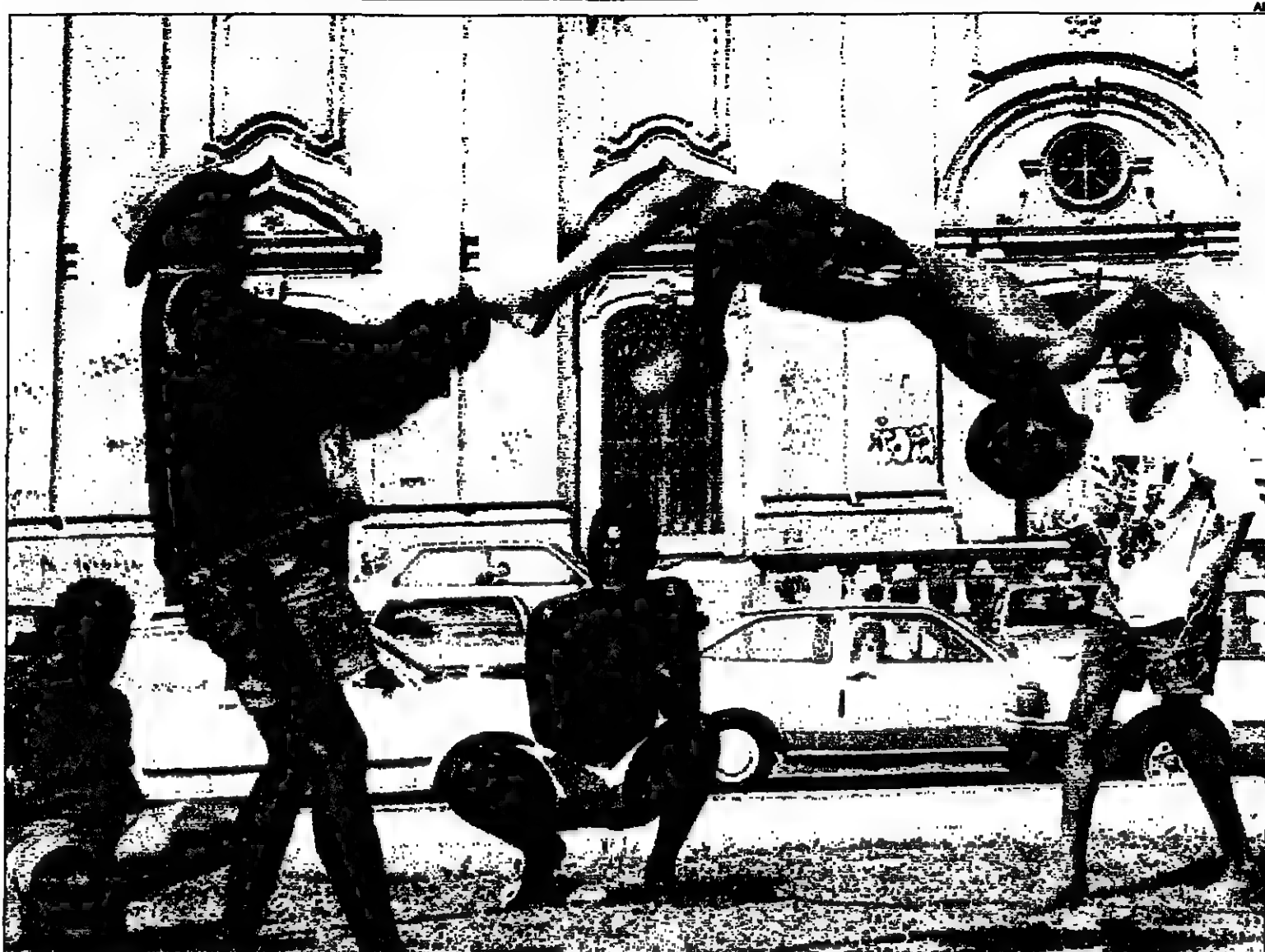
*The Rt Hon Sir Percy Cradock was Ambassador to China from 1978 to 1984 and the Prime Minister's Foreign Policy Adviser from 1984 to 1992. His book, *Experiences of China*, was published in 1994.*



Chinese artillerymen, 19th century

SIR HENRY POTTINGER
First Governor of Hong Kong
By George Pottinger
Sutton Publishing, £20
ISBN 0 7501 1468 8

James Woodall on three Brazilian novels energised by cinematic imagery



Playfulness and danger: street children play in Rio de Janeiro — but such children are thought to have been murdered to curb street crime

Still a million things to say

Before I start, I must declare an interest: when I encountered Chico Buarque's first novel *Turbulence* in 1992, I had no idea who he was. Five years later, he is the subject of my third book.

I should stress that the Buarque I have come to love is a composer — of sambas and bossa novas which over three decades have become part of the texture of Brazilian life. Buarque's novelistic voice is entirely new. He can only hope that readers will listen to it with entirely new ears.

Buarque has admitted to me that it is difficult for people — Brazilians, mainly — to accept that a man whose music millions grew up with has turned author. *Turbulence* was a bestseller in his home country, but *Benjamin* has had a harder time of it. Brazil's favourite pop star seems to be getting irredeemably serious between hard covers.

Buarque is a serious man; his first ambition was to be a writer. Now in his fifties, he

writes prose of verve, resonance and lyrical concision. As in *Turbulence*, the reader is given few clues in *Benjamin* about location and almost no narrative slack.

Benjamin Zambraia is an ex-model who relives his life in the seconds before his execution — for a misdemeanour which remains obscure. The city he moves about in is probably Rio de Janeiro. Buarque's own; but as in *Turbulence*, the unnamed city is a site of contrasts, haphazard meetings, seeming crowds, an emblem of chaos of an indelibly South American kind.

That is what all three books have in common: the urban landscape described by these authors and experienced by their narrators is unpredictable, and deeply threatening. Their narrative techniques owe more to cinematic image-making than to the staid procedures of European fiction. It should come as no surprise that while Buarque's *Benjamin* tries to piece together his life as if it were a

BENJAMIN
By Chico Buarque
Bloomsbury, £14.99
ISBN 0 7453 3015 7
THE KILLER
By Patricia Melo
Bloomsbury, £14.99
ISBN 0 7453 3014 9
THE LOST MANUSCRIPT
By Rubem Fonseca
Bloomsbury, £14.99
ISBN 0 7453 3010 0

film, both Patricia Melo and Rubem Fonseca are active screenwriters.

Of the three, Buarque's text is the most touching. Benjamin's memory flash amplifies an obsession: he pursues, more in his mind than on the street, a young estate agent, Ariela Masé, whose resemblance to an old lover drives him into situations he seems quite unable to control. He is easy to like, as is Ariela. We follow her turns of mind too, and her unwilling involvement in a noisy political

campaign offers further evidence of how character in much Latin American fiction is overwhelmed by the forces of accident: Brazil's mad reality squashes the intricacies of peoples' finer feelings.

By contrast, Patricia Melo's protagonist, Máique, is so unlikely as to be almost funny. He starts off killing a local crook for a bet, then becomes a full-time blow-away of undesirables. Elevated to hero status for his pains, he gets hooked on murder just as other characters in the novel are hooked on sex or cocaine. (Máique indulges copiously in both additions.)

At one level, *The Killer* is a litany of grotesque acts of violence and sexual deviance — the language is rough, packed with ballistic expletives, the characters are never less than manipulative and vengeful. Life in the novel's distorted reality becomes very cheap. At another level, Melo's unrelentingly ugly tale has the insistence of parable: in a

society incapable of being bound by law (and Rio is one of the most lawless cities on earth), indiscriminate human destruction prevails.

Rubem Fonseca's *The Lost Manuscript* is less monotone and less unflinching than *The Killer*, and more reader-friendly than *Benjamin*. Along with Jorge Amado from Bahia, Fonseca is one of Brazil's most established and widely read novelists, and he writes with greater agility. This curious tale about a film director trying to make a film of a story by Russian writer Isaac Babel is the most "European" in feeling of the three; but if Bloomsbury proves anything by launching these unusual novels together (all share the same São Paulo publisher), it is that the energy of Latin American letters is not confined to Buenos Aires or Mexico City. The modern Brazilian novel has arrived.

James Woodall's *A Simple Brazilian Song* will be published next month by Little, Brown.

Despite its eccentric title, this is an autobiography. Despite his eccentric tone, Lord Peyton is a politician. Though now retired, he was a notable Cabinet Minister who stood against Margaret Thatcher and others for the leadership of the Conservative Party. Never ill-disposed towards her, he was not content to play the courier and she fired him out.

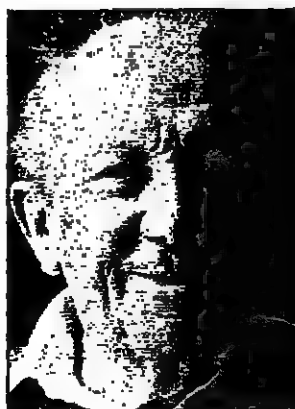
On reaching No 10 she dispersed with his services. He went to see her. "Prime Minister," I said, "I have three things I want to say, and if I don't say them now I'll never get them out. First I want you to know how hurt and angry I was and am at the way you have behaved to me. Secondly, despite what I have just said, I shall not be looking for an opportunity to get my own back; I hope for all our sakes that you will be successful. Thirdly, I think you would do well to be more careful when it comes to choosing your friends, some of them may prove when the weather changes. I have seen little or nothing of her since and retain mixed impressions."

And he hardly mentions her again. No streetfighter — and

A good scrubbing

Matthew Parris

WITHOUT BENEFIT OF LAUNDRY
By John Peyton
Bloomsbury, £16.99
ISBN 0 7453 3311 8



Peyton: a tot of lemon juice

possessing too keen a sense of the absurd (and of fun) for the parliamentary hard slog — and to delight those colleagues and commentators who noticed John Peyton's generous heart and prosecuting intellect were never, after that, bent to government service. He departed to the corridors of the Commons and then the Lords, there to listen (as he puts it) "to the pitter-patter of the clay footsteps of those who hurry importantly along them" and to delight those colleagues and commentators who noticed John Peyton's generous heart and prosecuting intellect were never, after that, bent to government service. He departed to the corridors of the Commons and then the Lords, there to listen (as he puts it) "to the pitter-patter of the clay footsteps of those who hurry importantly along them" and to delight those colleagues and commentators who noticed John Peyton's generous heart and prosecuting intellect were never, after that, bent to government service. 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Airlines push up business fares

By CATHERINE CHETWIND

BUSINESS fares on long-haul flights are rising dramatically, adding hundreds of pounds to the price of a single ticket and leading to allegations of greed in the industry.

The big airlines give three reasons for the increases, which have been as much as 25 per cent in the past year: first, rises of between 30 and 50 per cent in the cost of aviation fuel, depending on which country supplies it; secondly, the strength of the pound and thirdly, the strength of the dollar.

Travel agents and regular flyers argue, however, that airlines are

charging as much as they can for business travel as the world comes out of recession.

According to American Express, the business-class fare between London and Chicago in the first quarter of 1996 was £2,826. This had risen by 19 per cent to £3,366 by the same time in 1997. To New York, fares had risen by slightly less, 13 per cent, between London and Rio de Janeiro rises were 16 per cent during the same period, and to Bombay and Hong Kong, 25 per cent.

If the rises over the past year appear high, fares to Hong Kong, Bombay and Chicago went up by 51, 37 and 30 per cent respectively,

during the past three years. These post-recession increases highlight the close relationship between demand and price rises.

Mike Stone, Carlson Wagonlit's director for central London, points out that travel at the front end of the aircraft is less price-sensitive. "If airlines were to put up economy fares at the same rate," he says, "passengers would flee to competitors. Supply and demand is a significant factor. If airlines were flying with half-empty business-class cabins, fares would fall. But more people than ever are travelling."

Both Virgin Atlantic and British Airways claim that hikes in air fares

can be attributed to vast rises in the price of aviation fuel. But an oil industry spokesman says: "The cost of fuel traditionally rises during the winter, then subsides during the first quarter of the year, and though jet fuel rose more than other crude oil products between November and February, prices this May are only marginally more — about \$3 a barrel — than they were in 1996."

Graham Flack of the Guild of Business Travel Agents says: "The fares increase is caused only partly by fuel price rises. Demand is outstripping supply, and while the economy is buoyant, prices will continue to rise; the market can take it." He

adds that this is exacerbated by the privileged position of travellers in the South East. "They are used to being able to fly direct to most prime business destinations from Heathrow or Gatwick airports," he says, "but airlines can keep prices down by flying via another European point, as people who travel from Scotland or the North East know."

This might explain an anomaly highlighted by a reader of *The Times*, who said that a British Airways fare to San Francisco from London was £4,300, but from Copenhagen was £2,400. A BA spokeswoman says: "It is a response to the level of demand."

Concorde flies in to help Barbados

By TONY DAWES

A SERIES of Concorde flights to Barbados is being planned this summer as the Caribbean island steps up its campaign to become a year-round holiday destination.

The supersonic airliner will make weekly scheduled flights from the end of June into August to meet the trend among wealthy travellers for more exotic summer holidays.

British Airways has been sending Concorde to Barbados in the winter and tried a summer programme in 1995, but withdrew it last year.

Michael Barnister, BA's chief Concorde pilot, says: "We are now seeing more customers with money to spend and we believe there will be enough to justify the summer programme."

"Concorde is a marvellous way of getting to the Caribbean. It enables passengers to leave London at a civilised hour in the morning and be on the beach by lunchtime. Return flights leave after lunch and are back in Britain by the evening, so passengers are spared overnight flying."

BA's decision has been welcomed by tourist chiefs in Barbados. Early on Shuttler, the Barbados Tourism Authority's president, says: "The flights will help to boost summer tourism and that is essential for us. Tourism is now responsible for 15 per cent of our gross domestic product, so we have to develop it as a year-round business instead of a seasonal one from December to April."

"All our hotels now open throughout the year and we are supporting a wide range of events to attract people in the spring, summer and autumn."

A total of 447,000 tourists visited the island last year. The largest number, 140,000, came from Britain.

The authority is about to appoint new marketing directors for North America and Europe with years of national and district sales managers reporting to them. Later this year, they will be armed with a new "family" of campaign literature focusing on seven ways of attracting tourists. It includes promoting Barbados as an all-year wedding and honeymoon destination and publicising jazz and opera festivals, as well as traditional local celebrations such as the Conga Line Party in May and the Crop Over Festival in July.



Oasis of calm: The American Colony Hotel, the first Israeli hotel to join the prestigious Relais & Châteaux chain

FROM CHRISTOPHER WALKER IN JERUSALEM

Israel hotel joins elite

FOR the first time, an Israeli hotel has gained membership of the upmarket Relais & Châteaux chain. Four years after the signing of the Israeli-Palestinian peace treaty, the hotel joins two in Lebanon and one in Dubai that fly the Relais flag in the Middle East.

Ironically, the new entrant is The American Colony, situated in that part of Arab east Jerusalem conquered by Israel in 1967 and subsequently annexed. Israel's Tourism Ministry was not overjoyed by such a politically controversial choice, reports the organisation.

English-owned, Swiss-managed and

served by a predominantly Palestinian staff, the Colony (as it is known by the diplomats and journalists who make up much of its clientele) has long been an oasis of calm in the turbulence of the Arab-Israeli conflict.

Manager Kevin Kozz, quoted in the sentiments of Sir Peter Ustinov, who had a long relationship with the building, originally built in 1860: "It is a place

where Jews, Arabs and Christians can meet. At least, the intelligent ones."

The 90-room hotel (average overnight rate \$155, about £95, with breakfast) had — according to president Régis Bulot — little problem meeting the chain's five Cs requirement: character, courtesy, calm, charm and cuisine.

Famous guests include Ingrid Bergman, Lauren Bacall, T.E. Lawrence, John Le Carré (who used it as a base to research *Little Drummer Girl*), Graham Greene, Marc Chagall, Leon Uris and Lord Alton. Unknown to tireless English owner Valentine "Val" Vester, 84, the first direct talks between Israelis and Palestinians, which led to the 1993 accord, were held in room 16.

Britons return to ski slopes

By TONY DAWES

BRITONS are returning to the ski slopes in their thousands, according to the annual ski industry report published by Crystal Holidays this week.

The company estimates that 830,000 skiers from the UK took to the slopes during the 1996-97 season, an increase of 9.2 per cent on the previous season, and that the boom will continue.

The figures are still below the million mark of the late 1980s but Andy Perrin, Crystal's marketing director, believes that target will soon be reached again. "As well as the increase in the number of skiers as the economy emerges from recession," he says, "there has been a marked growth in the number of beginners travelling."

This has been reflected by the strong performance of countries such as Andorra and Bulgaria, which provide good all-round holidays for novices at low prices."

France continued to be the most popular destination for British skiers but resorts in Italy and North America attracted increasing numbers as Austria and Switzerland lost market share, mainly because of poor exchange rates.

Mr Perrin says: "The pound's recent strength will make holidays in those countries attractive again. That explains why we can offer savings of up to £300 for a couple on Swiss skiing holidays in our brochure for next season." Crystal says it has already taken almost 20,000 bookings for the 1997-98 season.



Tough job ahead for new ministers

Among the high-profile names in the new Government are those of two junior ministers whose decisions will directly affect the millions who travel abroad on business or pleasure and who provide tourism services at home.

Many in the travel industry were at first disappointed that Tom Clarke had been made Minister for Film and Tourism and that Glenda Jackson had been given the responsibility for transport policy, railways, local transport outside London and — almost as an afterthought — aviation and shipping.

Their frustration was not directed against the two individuals personally. But it seemed that the incoming Government had given a low priority to tourism generally, now possibly Britain's biggest industry.

And with the aviation industry facing a crunch between demand for growth and ever-more constricting environmental concerns, can any minister really tackle so many key issues at once?

National Heritage Secretary Chris Smith, to whom Mr Clarke must report, has already put tourism among the priorities that his team must tackle.

Clearly, he will want to ponder how Britain is going to cope with the expected flood of visitors for the millennium celebrations. He will worry about the strength of the pound which has already resulted in a 2 per cent fall in the number of visitors from Europe this year. This means that Britain's tourism "balance of payments" — the difference between the amount spent by visi-

tors to Britain and that spent by Britons abroad — widened in the first three months of this year to £1.2 billion compared with £1 billion in the previous year.

Mr Clarke's strongest argument for forcing tourism to the top of the agenda must be the enormous potential it has for creating jobs.

He has the chance of persuading the tourism industry to take a pride in itself, to recognise its importance as a major contributor not only to the economy, but to the general well-being of the country.

Meanwhile, the aviation industry and outbound tour operators will be beating a path to Glenda Jackson's door. They will want her to untangle the problem of take-off and landing slots, of air traffic control, of the proposed British Airways alliance with American Airlines and of the vexed question of bilateral agreements with the United States.

They will be forceful in their pleas for tough action against the protectionism which still exists within mainland Europe, despite the apparent "open skies" agreement now in place.

They will ask her to tackle the apparent dominance of British Airways, the questions of Heathrow's terminal five, of Manchester's second-runway protesters, and of the privatisation of the air traffic control service.

She must also keep an eye on the handing over of safety responsibility to a central European body and, if possible, prevent the Treasury from increasing the hated airport departure tax.

They both have a lot to do. Let's wish them luck.

The ten-times dinner table

By KEVIN EASON

DINNER was washed down with coffee as the four Danish tourists happily worked out the budget for the rest of their holiday in the historic city of Budapest.

Until the bill arrived. It was for \$6,000 — more than £3,400, or £850 a head. The astonished Danes gawped in disbelief before pulling themselves together enough to complain to the restaurant manager.

His logic for the bill was so baffling that consumer protection authorities in Hungary believe it is a danger to the nation's burgeoning tourist industry. He said simply that he multiplied menu prices by a factor of ten after 7pm.

Imre Lehoczy, the restaur-



rant's business manager, told the daily *Nepszabadsag* newspaper in Budapest: "These are our night prices. We charge what the market will bear."

Consumer protection authorities have started a legal action against the restaurant

which could result in a maximum fine of around £100.

The US Embassy in Budapest has warned Americans to beware of such nightclubs where bills can require a second mortgage for the unwary traveller — and mean danger for those who cannot pay, or just refuse to, for strongarm tactics are not unknown in the seedier establishments.

The case also serves as a warning to tourists who could find themselves in the same unenviable situation as the four unfortunate Danes, whose holiday was no doubt ruined not only by becoming embroiled in a legal action but by the shock of being handed a bill for 1 million forints — just about enough to buy a small car in Hungary.

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CHANGING TIMES

FOOTBALL

Ravanelli may lead exodus from Riverside

By DAVID MADDOCK

BRYAN ROBSON, the Middlesbrough manager, delayed the inevitable yesterday when he insisted on deferring any decision about the future of his high-profile foreign players.

Robson holds no realistic hopes of persuading Fabrizio Ravanelli, Juninho or Emerson to remain at the Riverside Stadium after Middlesbrough's relegation from the FA Carling Premiership, but the process could be hastened by a gathering interest in the pick of his squad.

AC Milan are the latest club to express an interest in Ravanelli, the Italy forward. Sources at the club suggested yesterday that it is prepared to make an £8.5 million offer to take Ravanelli home. He has been targeted by Fabio Capello, the coach, who is scheduled to return to Milan to resume control from Arrigo Sacchi, a year after leaving to join Real Madrid. Capello sees Ravanelli as the man to change Milan's faltering fortunes when he returns.

Milan's city neighbours, Internazionale, are rivals for Ravanelli's signature and it could be that the Italian gets an early move home, perhaps even as soon as next week. Emerson will clearly be joining him on a flight from Teesside airport, although perhaps to Spain. Juninho, too, indicated yesterday that the FA Cup Final will be his final game for Middlesbrough.

"Playing for my country is important to me and obviously I need exposure," the Brazil international said in response to a question about the prospect of playing in the Nationwide League first division. "But, if I go, then my heart will always remain in Middlesbrough."

Juninho denied a suggestion that he would be flying to Spain on Sunday to discuss terms with Atlético Madrid, the Spanish champions last season. There is no doubt, however, that Spain is his preferred destination and he has indicated privately that he will, reluctantly, leave England.

Juninho is desperate to play for his national side in the World Cup finals next summer and he accepts that Spanish football is promoted hugely on television in his homeland while the English game is largely overlooked. That would rule out, it seems, a move even to Manchester United, who have made overtures to Juninho's advisers.

Robson was in philosophical mood yesterday as he tacitly accepted that he would be forced into a rebuilding operation for next season. However, he said that the priority was the reclamation of a little pride against Chelsea on Saturday.

"I will wait until after the Cup Final to sit down with all my players — not just the foreign players — to judge their commitment to this club," he said. "I haven't spoken to any of them yet, but if they don't want to play in the first division, then there seems little point in keeping them."

"The priority now is obviously the Cup Final. My players have worked hard this season, they won enough points to stay up but were relegated because the Premier League took points away from them. They deserve to take something from a season like that and the Cup Final is their opportunity."

"I don't care what people say about players and the money they earn, the rewards for top players are not just financial. They want winners' medals. If we win the Cup, then there will still be a certain sense of achievement at Middlesbrough."

Robson also confirmed that he will be staying at the Riverside next season, despite the "terrible depression" of relegation, although it will no longer be in a playing capacity. "I'm fortunate to have a chairman like Steve Gibson," he said. "He has supported me and let me get on with things and with loyalty like that there is absolutely no question of me leaving. I think I owe the club something after the loyalty they have shown me."



Emerson appears preoccupied as he watches his Middlesbrough team-mates prepare for the Cup Final yesterday

Bilic completes move to Everton

By OUR SPORTS STAFF

ONE highly-rated central defender left London yesterday and another decided to stay as a week of expensive transfer activity continued. Slaven Bilic completed his expected move from West Ham United to Everton for £4.5 million, while Sol Campbell decided to stay at Tottenham Hotspur.

Bilic, 28, the Croatia international, moved to Goodison Park after helping West Ham to avoid relegation. He signed a five-year contract, despite the fact that Everton have yet to secure a replacement for Joe Royle as manager.

"I wasn't happy when Joe Royle left the club because he was the man who set up the move for me," Bilic said. "It was sad that Joe went, but it didn't alter the way I felt about Everton and I still wanted to join them."

"The chairman [Peter Johnson] has assured me that he has a shortlist of managers he wants to bring here and that

he has spoken with them all. Every single one of them wanted me, so I don't really have any worries about who becomes manager, although I would like the club to find one soon because time is already running out to try and find the right players."

Everton had been favourites to sign Bilic since they learnt of a clause in his contract which stipulated that any club offering more than £4 million was entitled to negotiate personal terms.

Pallister withdraws

GARY PALLISTER, the Manchester United central defender, has been forced to pull out of England's summer fixtures after learning that he needs an exploratory knee operation. He will undergo surgery tomorrow amid fears that he will need to have another cartilage removed.

Pallister, 31, had an operation on his other knee in November. He is likely to be sidelined for around a month.

Bilic said: "I first spoke to Everton in March when I met with the chairman and Joe Royle. They were very keen to sign me then, but I didn't want to leave West Ham when they were in the middle of a relegation battle."

"I was so impressed with the club and what they had to say about their ambitions that I told them I would love to sign if they would wait for me. I was so glad when they said they would and we made a gentleman's agreement that I

would sign at the end of the season."

"It's worked out perfectly for me because not only have I got the move that I wanted, West Ham have stayed in the Premiership as well."

Campbell, who has broken into the England team this season, has signed a new four-year contract, a move that will disappoint his many admirers at other leading Premiership clubs.

Campbell said: "I am a Tottenham man and never wanted to leave. I have been here since I was 14 and I'm happy to stay for another four years. This is a boost for me, the club and the fans, who have been very good to me."

Campbell is confident that Tottenham will re-establish themselves after being constantly disrupted by injuries this season. "I spoke to the chairman [Alan Sugar] and he told me he wanted to sign a couple of quality players," Campbell said. "I feel we already have strength in depth and one or two more players will make it even better."

GOLF

Montgomerie hopes practice makes perfect

By JOHN HOPKINS, GOLF CORRESPONDENT

THE PGA European Tour has moved around the M25, from one American-designed golf course to another. It has gone from The Oxfordshire, near Thame, to the parkland of Hambury Manor, near Hertford. Rees Jones designed The Oxfordshire in the early 1990s at about the same time as Jack Nicklaus Jr put his signature to the new Hambury Manor course, 80 years after Harry Vardon laid out the original nine-hole version.

The two courses are as different as a wooden-shafted, persimmon-headed driver and a titanium-shafted Big Bertha, but Hambury Manor at least looks at one with its surroundings. The Oxfordshire was last seen being battered by rain squalls and a gusting wind. In Hertfordshire yesterday, the sun shone and the scene vaguely resembled a British summer's day.

"This is a good course," José María Olazábal said on the eve of the Alamo English Open. "You have to increase the level of your game to enjoy the game here. It demands accuracy. You cannot tee off with an iron and then expect to have a comfortable second to the green. To play a course like this, you have to do everything good."

Olazábal looks well. A few days spent in Munich last week at the premises of the doctor who — literally — got him back on his feet confirmed that the Spaniard is progressing satisfactorily. Were he to win the £108,330 first prize this week, he would be close to sealing his place in the Ryder Cup team in September, which, after only seven events, would be a remarkable achievement.

This is the second of four successive big events on the

European Tour and, by the end of them, every leading European player will have competed at least once. With £3.2 million at stake in prize money in this four-week spell, nobody can afford to ignore all four events.

Colin Montgomerie's intentions focus more on improving his golf than acquiring the money, although if he does the former, then the latter will follow. His best finish in Europe this year has been sixth. "I have had three top-tens and it's nearly June," Montgomerie, who had one victory under his belt by this event last year, said. "That is no good."

In an attempt to improve matters, Montgomerie has decided to revert to a practice routine that he was told about at university in the United States. He has to hole 100 successive two-footers; if he gets to 96 and misses the 97th, he has to start all over again. He decided not to return home to Surrey last night and to practice his putting instead. "I will do that most days from now until the US Open," he said.

The leading golfer in Europe for the past four years, Montgomerie is keenly aware that Ian Woosnam and Bernhard Langer have begun the year playing well and that their form contrasts strongly with his own disappointing performances. At present, he is 42nd in the European money-list. "I kept my record for ten years as a professional of getting better each year and I can't let it slip," Montgomerie said. "I have a great desire to win and a great desire not to lose." Now is the time for him to start demonstrating that determination.

Newcomers get chance to impress

By MEL WILSON

WHEN THE class of '97 arrived in Great Britain, they found the head prefect waiting for them. Pia Nilsson, the Solheim Cup captain, is at The Tytherington Club in Cheshire, where the American Express Tour Players' Classic starts today, and she is focusing already on an event 17 months hence.

Europe's women professionals received a 17-11 pasting in the match at St Pierre last year and Nilsson is determined that things will be different in September next year at Muirfield Village, the course that Jack Nicklaus built in Dublin, Ohio. Nilsson, who was vice-captain to Mickey Walker last year, is head coach of Swedish golf, men and women, amateur and professional — and they are not used to failure.

New selection criteria have been established for the next Solheim match. As well as the British Open, four other tournaments will carry an extra points allocation and only tournament finishes in the top ten will count. It is a bold initiative by the board of the Women Professional Golfers' European Tour, a pity, then, that with so many of Europe's best women playing in the United States, they did not also include results from the American major championships, as is the case for the Ryder Cup. Eleven of last year's team have US LPGA player's cards and Nilsson has only five picks in addition to the seven players who earn their way into the team.

Thus, with typical Swedish thoroughness, Nilsson is at The Tytherington to assess the strength of the 1997 intake of new, young players during the next four days.

Omens look promising for Davies

By PATRICK DAVIES

LAURA DAVIES missed the cut in Japan last week, after being buffeted by winds of 60mph and scoring 81 in the first round, but there were reasons to be cheerful. She picked up a new putter from Maruman, her Japanese sponsor, paid an unexpectedly early visit to the tables in Atlantic City and arrived in neighbouring Delaware, to begin her defence of the McDonald's LPGA championship at the DuPont Country Club, knowing history was on her side.

The last time Davies missed a cut, in Tucson in March, she won the Standard Register First event the following week, for the fourth successive year. Thus the omens are promising here, for this is another course that has proved to be a happy hunting ground for the world No.1. She won here last year, was second the year before, champion in 1994 and won in 1995, when the event was just a plain McDonald's before the elevation to major championship status.

The technicalities of the new putter — called Majesty, with Davies's signature on it — escape its owner. "It's got all kinds of gizmos," she said. "It's typical, high-tech stuff, with some new metal insert and some long name I can't pronounce, but it feels good and I hold some putts with it on the putting green."

In the first round today, Davies will be playing with Nancy Lopez, who will be keeping her head down and eyes averted when Davies drives. "I'll hear the whack," Lopez smiled, "but I don't look. You know you can't hit it as far but the competitive urge is there."

Ambitious Newcastle join the chase to sign Ince

By OUR SPORTS STAFF

NEWCASTLE United have joined the race to secure the services of Paul Ince, the Internazionale and England midfielder. They have asked to be kept informed of developments as Ince makes a decision on whether or not to return home after two years in Italy.

Newcastle's success in securing a place in the European Cup may prove a powerful draw for Ince, 29, as would the chance to renew his international

partnership with David Batty. Ince will announce his decision after the second leg of the UEFA Cup final next week. Inter trail 1-0 to Schalke 04 after the first leg in Germany last week.

Kenny Dalglish, the Newcastle manager, is also ready to offer £2 million to Blackburn Rovers for Shay Given, the Ireland goalkeeper. Dalglish is keen to avoid the transfer going to a tribunal.

Leading FA Carling Premiership clubs will have been alerted by the

news from Italy yesterday that Juventus may consider parting with their strikers, Alessandro Del Piero and Christian Vieri.

Umberto Agnelli, whose Fiat car empire backrolls the club, said that a bid of around £15 million may be enough to persuade him to sell Del Piero, his most highly-prized asset. However, he added: "I hope that Vieri and Del Piero continue to play for Juventus."

Del Piero made it plain he wishes to

remain at the Stadio Delle Alpi. "The fact is that I want to stay here. All this talk of a possible move is inevitable when you're in the spotlight."

Raul, the Real Madrid striker, confirmed yesterday that he was staying with the club, despite reports that a Premiership club had made an offer of £25 million for him. "It's incredible... but I wouldn't leave, even for double," Raul, 19, said. "Raul is not negotiable, he is club property," Lorenzo Sanz, the club president, said.



Ince: decision next week

IN BRIEF

Law on song to breeze into quarter-finals

CHRIS LAW, who started the year with a victory in sailing's Australia Cup, enjoyed four straight wins on the second day of the Hoya Royal Lymington Cup match-racing event yesterday to reach the quarter-finals. Another Briton, Andy Green, 23, will join him in today's competition after racing to four wins and three losses in his opening round-robins.

Athletics: Ben Johnson, the Canadian sprinter, has filed an application with a court in Ontario, Canada, charging

the International Amateur Athletic Federation, the world governing body, and Athletics Canada with stopping him making a living by imposing a lifetime suspension.

Swimming: Andrew Clayton is the latest international to join the training scheme at the University of Bath's Olympic pool.

Bowls: David Wilkins and Will Thomas will represent Wales in the European team championships in Guernsey in September.

RUGBY UNION: INEXPERIENCED ENGLAND GATHER FOR ARGENTINA CHALLENGE

Rowell seeks time to carry on building

By MARK SOUSTER

AS THE England squad to tour Argentina gathered at Bisham Abbey yesterday, the doubts surrounding Jack Rowell's long-term future as coach of the national team surfaced once again. Rowell's mission statement for New England, for whom the demanding six-match trip is considered a vital part of the evolutionary process, is to lead them into the 1999 World Cup, but whether his wish will be granted remains to be seen.

It was the coach himself who raised the spectre of change as he admitted, ahead of Sunday's departure, that there had been no negotiation and no contact with Twickenham about a new deal after his contract expires in August.

"In terms of a new contract, I am not anticipating anything," he said. "Strange things can happen and there are now parallels between rugby union and soccer in that coaches are under considerable pressure, but I enjoy that pressure and respond to it. Coaches tend to be judged on results, but as far as England is concerned, we are building towards the next World Cup

and, in terms of putting your ideas into practice, things do not happen overnight."

Looking ahead to the tour, which includes two internationals, Rowell admitted that an inexperienced squad faced a "tidal wave of a challenge", one made more difficult by the lack of time to prepare. The disruption caused by the loss of three first-choice locks and the absence of so many senior players with the British Isles.

It does not help that, within 48 hours of landing in Buenos Aires, England face a demanding opening match against Corobas, the team for

which will be selected before the squad flies out.

"It is a daunting task in one way, but a big opportunity in another for the up-and-comers," Rowell said. "It is very important that these young men have this chance to put their foot in the England door and see how far they get."

England have called up Nigel Redman, 32, from the Bath second row to replace Garath Archer, who pulled out of the tour on Tuesday. Matt Poole, the Leicester lock, was another candidate to take Archer's place, but he has a wrist injury.

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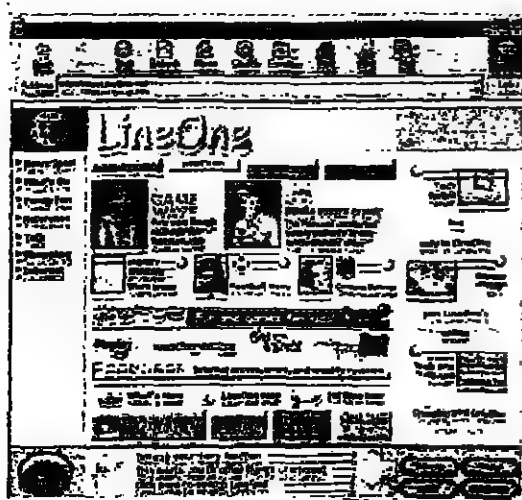
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CRICKET

Evans helps himself to career-best figures

By Derek Hodgson

OLD TRAFFORD (first day of four; Nottinghamshire won toss): Nottinghamshire, with six first-innings wickets in hand, lead Lancashire by three runs

THE Old Trafford pitch would have been reported to the England and Wales Cricket Board if another wicket had fallen yesterday, but Peter Marron, the chief Lancashire groundsman, should have slept with a clear conscience last night. Lancashire have been fined 25 points in the past and warned on another occasion, but the board will surely accept that, this time, the batsmen had to face no more than an old-fashioned English seaming surface.

The pitch was bright green and overnight rain meant that play did not start until 12.15pm, when Paul Johnson made the right decision and saw six Lancashire batsmen back in the dressing-room for 33 runs in 18 overs.

Kevin Evans, on his way to a career-best six for 40, took four wickets for two runs in 28 balls, a reward for bowling on or about the off stump, to a length and allowing the seam to do its work. The Nottinghamshire slip cordon, Graeme Archer in particular, caught like hawks.

Jason Gallian was the first Evans-Archer victim, third ball. Atherton went in Evans's next over, caught by Pollard at first slip as the ball lifted and cut away. Evans took an over or two to adjust his line to Neil Fairbrother, but the first time that the left-hander tried to attack, he top-edged to Johnson at mid-on.

Lloyd got a demon delivery. He went on to the back foot to play down a lifting delivery, but was confounded by the extra bounce. As the sky cleared, the pitch began to dry and Lancashire, after Mike Watkinson had pulled Tolley to long leg, knew that they had to take every scoring chance to avoid real humiliation.

They were saved by a fine innings from John Crawley.

He is already regarded as the best player of spin among the younger England class and, after this display of concentration, he can be counted among those who used to be known as "bad-wicket players".

Not until he was joined by Peter Martin, at 52 for nine, did he find a partner with a similar approach. Martin is uncomplicated, blocking the straight ball and driving or cutting, powerfully, any strays. As the Nottinghamshire seamers tired, the pair took advantage. Crawley lifted Tolley over mid-wicket for six. Martin denied Evans's figures in similar fashion.

The pair had added 73, in 33 overs, when Martin's ambitions betrayed him, his slashing cover drive taken low and handsomely by Gie. Crawley, who batted from the fourth ball of the innings, was left undefeated on 51 off 108 balls.

Nottinghamshire were batting soon after 3.30pm and made almost as catastrophic a start as Wasim Akram caused havoc off a short run. One ball would fly elbow-high, or higher, and the next would be a fast yorker drilled into the ankles.

Tim Robinson was the first victim, leg-before, after surviving eight overs; Archer was prepared for the next thunderbolt, went back to dig it out but was simply not quick enough and fell in the same way. Poor Pollard at first slip and Glen Chapple's extra pace and Nottinghamshire were 13 for three.

When Gie hurriedly withdrew his bat as Wasim first across him, he had his off stump knocked flat — 37 for four. By then Johnson had arrived and, helped by Usman Afridi, Nottinghamshire pulled themselves together. All Nottinghamshire followers will have been pleased to hear of the £4.2 million National Lottery grant for the redevelopment of Trent Bridge. This will help to fund a £6.5 million rebuilding of the Radcliffe Road end that will include a centre of excellence and a new £4,500 stand, which will lift capacity to 14,500.



Donald, of Warwickshire, celebrates the third of his four victims with the dismissal of Vaughan yesterday

Gough's rich seam heartens England

By Richard Hobson

EDGBASTON (first day of four; Warwickshire won toss): Warwickshire, with six first-innings wickets in hand, are 169 runs behind Yorkshire

AS A succession of England's premier batsmen failed around the country, Darren Gough at least gave the selectors some reason to feel confident ahead of the Texaco Trophy series in the final session here yesterday.

With Yorkshire defending a first innings total of 233, Gough hit the crease with vigour, quickly found the ideal length in helpful conditions and took his sweeper after a new-ball spell of nine overs, five maidens, 12 runs and three wickets. Eight of those runs were taken from his first two deliveries. Earlier, Allan Donald claimed four wickets, and the highest praise that can be meted out to Gough is that he matched the South African bowler.

After twice cutting successfully behind point, Knight was adjudged leg-before to a ball of fuller length, the fifth of that eventful initial over. Hemp fell in similar fashion to the second ball of Gough's next

over, and Ostler became a third victim as he attempted to force through midwicket.

With Warwickshire reduced to 22 for four, Silverwood having accounted for Moles, Knight was entitled to question his wisdom in inserting Yorkshire. The way his own side folded put the half-centuries by Vaughan and Lehmann in glowing context. Neither batsman was completely at ease and Lehmann, in particular, enjoyed more fortune than anybody has a right to expect in a single day. Yet their partnership of 73 in 26 overs may prove decisive.

Perhaps Warwickshire were guilty of doing too much with the ball. It was difficult to keep count of the number of occasions in which they beat the bat or saw the ball fall short of a fielder. Vaughan compiled 56 from 127 balls when he became the third of Donald's victims, edging to Frost, the wicketkeeper. After chiselling out 62 in 196 minutes, Lehmann finally shouldered arms to Brown. Late hitting from Blakey and Silverwood ensured that Yorkshire finished with what appeared a reasonable total. It looked even better by the close.

Derbyshire duo share the spoils

By Jack Bailey

LORD'S (first day of four; Middlesex won toss): Derbyshire, with five first-innings wickets in hand, are 23 runs behind Middlesex

IT WAS the old hands who made most of the news. Devon Malcolm and Phillip DeFreitas, still not past the reckoning for England, took five wickets apiece in a Middlesex innings that only the venerable Mike Gatting and Paul Wekesle prevented from being a rout. On the other side of the coin, Kim Barnett suffered another injury to his recently-healed knee soon after the start of play when he ran into an advertising board. He is likely to be out of action for some time.

After confirmation that Dominic Cork will not be considered for the Texaco Trophy series against Australia, it might be inferred that Derbyshire are up against it, but they are talented, determined and liable to upset any team in England. They were pegged back by another "old un", Angus Fraser, at the start of their innings, but the batting of Clarke and Jones has just about enabled them to retain the advantage.

The Middlesex innings was subjected to loud vocal accompaniment. The extent of Derbyshire's appealing and cries of mutual congratulation, even when the ball hit the middle of the bat, was barely within the bounds of tolerance. What with all this and the amount of movement attracted by Malcolm and, especially, DeFreitas, Middlesex experienced a torrid time.

They had received 28 balls before they managed to score a run and, by then, Kalis was back in the pavilion. From a distance, there was some doubt as to whether the ball carried to second slip. There was no question, though, about the "wain-high" catch that disposed of Ramprakash. At that point, Middlesex had just mustered their second run.

Gatting and Wekesle buckled down to a partnership of 79 before Gatting failed to cope with Malcolm's pace. Once Wekesle had nibbled at DeFreitas, Malcolm took charge. In 18 very lively balls, he took four wickets for 16 runs, only Moffat, in his championship debut, seeming to have time to cope with Malcolm's pace.

Durham's progress continues at expense of Essex

By Pat Gibson

CHELMSFORD (first day of four; Essex won toss): Durham, with seven first-innings wickets in hand, are 115 runs behind Essex

WHISPER it softly, but Durham seem to be on their way at last. It was one thing to outplay a weak Nottinghamshire side in their last championship match, when only rain robbed them of their first victory for two years; quite another to dominate as they did yesterday against a team as strong as Essex.

David Boon's expression gave nothing away, but the new captain must be pleased with the way things are going, even if he did have to step into the breach when the loss of three wickets for 18 late in the day threatened to undo the good work.

He still has a fight on his hands on a reaid pitch with plenty of grass to hold the cracks together. The ball is seaming and occasionally lifting disturbingly, which helps to explain why Essex lost their first four wickets for 27, and their last five for 28.

In between, two partnerships of 95 — one between Stuart Law and Grayson, the other between Grayson and Danny Law — lifted Essex to 237, which could prove to be a better total than it looks.

As ever, Brown made the early inroads for Durham, capturing the wickets of Pritchard, Hussain and Irfan. Graham Gooch, the England selector, must have been impressed, although it was Killeen who did for him, daring one in to have him caught at short leg off his last ball.

Stuart Law almost went the same way before he had scored, but after that he played beautifully. He had made 63 off 79 balls when Walker made one near from just about a length to have him caught behind off the glove. Grayson continued to bat with great responsibility for 70, and Danny Law weighed in with 45, but then Killeen and Brown closed up the ball.

It seemed almost too good to be true that Durham, who Lewis and Collingwood launched their reply with a stand of 89, but after their wickets fell quickly, Morris and Boon were content to play for the margin.

Smith adds spice as Hampshire struggle to impose

By Ivo Tennant

SOUTHAMPTON (first day of four; Hampshire won toss): Leicestershire, with all first-innings wickets in hand, are 283 runs behind Hampshire

IF THE county champions are to perform as they did last year, then this is the kind of fixture in which they must excel. They will still reckon to win it, even if, by their standards, they did not bowl especially well. Hampshire, for whom Kevin James made an unbeaten half-century and Robin Smith pulverised Leicestershire's quicker bowlers for all too short a while, finished with 285, a bigger total than appeared likely for much of the day.

Hampshire are the one county to have lost a match in the championship thus far, although that says something about the weather as well as their own weaknesses. Considering the impetus Smith gave them — his 46 included nine fours — their innings was a labour of love. The pitch is taking a fair amount of spin already, but there are runs to be had on it.

Hayden has made runs against British Universities, but has yet to come up with the scores expected of him in the first-class game. He was taken in the slips yesterday, the first of four wickets for Mullally, and Stephenson soon followed him, his attempted drive at the same bowler not a shot he will wish to remember. Thereupon Smith came in and soon was batting with great purpose.

Only one of his fours did not come off the middle of the bat, but the ball was hit so hard that it did not matter. He should have made a bigger score, and he knew it. Mills, who maintained his place in warm weather, had Smith caught at second slip and the run went out of the day. While he was at 49 overs for his 15 runs, and the lower middle-order struggled to support him.

Until Morris came in, that is. He added 66 with James in 22 overs. Hampshire's cricketers come out smiling at an ever-proliferating rate, but these two remain James did so until the close of the innings, his 56 runs equalled only by a ludicrously high number of extras. On five occasions, the ball went to the boundary for byes.

SHEEHAN ON BRIDGE

By Robert Sheehan, BRIDGE CORRESPONDENT

This is a hand from the final of the 1996 Gold Cup. How do you think South should play Four Hearts?

Dealer North	Love all	IMPs
♠ A J 8 4 ♥ 9 7 ♦ Q 6 5 ♣ 7 5 4 2	♠ 10 7 ♥ 6 8 ♦ 8 7 3 ♣ K J 10 6	♠ 10 7 ♥ 6 8 ♦ 8 7 3 ♣ K J 10 6

S	W	N	E
1H	Pass	Pass	Pass
3H	Pass	Pass	Pass

Contract: Four Hearts by South. Lead: ten of clubs

Andrew Dyson, the captain of the winning team, sat South with Glyn Liggins North. Liggins' raise to Four Hearts was aggressive. It is not a particularly good contract, requiring a favourable position in both hearts and spades. East overtook the ten of clubs with the jack, and Dyson won with the ace. Now when he played a high trump West was able to win and play his second club, and a third round of clubs promoted a trump trick for West.

As Liggins pointed out in his report in *International Popular Bridge Monthly*, East can hardly have six clubs to the KQJ — he has had two opportunities to bid them. Even if East considered his hand unsuitable for a preempt, with such a good suit he would certainly have bid Two

Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

KEENE ON CHESS

By Raymond Keene, CHESS CORRESPONDENT

Extra teams

England continues to dominate in the European team championship in Pula, Croatia. In the eighth round, England's 2-2 draw with Russia allowed the England squad of Short, Adams, Speelman, Sadler and Hodgson to maintain a comfortable lead over their nearest rivals. Positions after the eighth round are: England 21/32; Armenia 19 1/2; Croatia, Russia, Belarus and Germany all 19. The hero of the England side has been Matthew Sadler, the former British champion grandmaster, who has maintained a killing pace, especially with the black pieces. Here is a sample of his form from an earlier round.

White: Dzirza

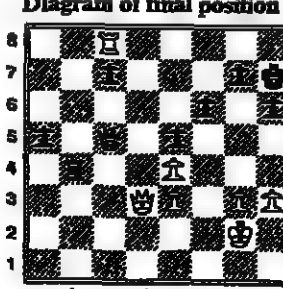
Black: Sadler

Pula, Croatia 1997

Catalan Opening

1 Nf3	e5
2 g3	Nf6
3 Bg2	e6
4 d4	Be7
5 c4	O-O
6 Bf4	dxc4
7 Qc2	Re8
8 a4	Bc5
9 Rd1	Bd3
10 Ne3	Nc6
11 Bxc3	bxc3
12 Bxc3	Rf8
13 a5	Nd7
14 Bxf7	Qxf7
15 Ne4	Rf4
16 Nc3	Rf5
17 Rg1	Re8
18 dxc5	Nf6
21 Ne5	Rf2

Diagram of final position



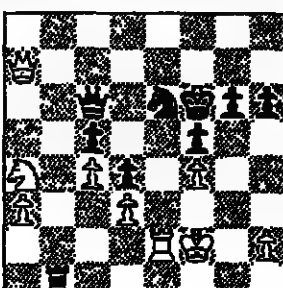
Historic win

In the women's championship, the eighth round saw England score an historic 1 1/2-1/2 victory over Russia. Susan Lalic triumphed in an endgame of extraordinary rarity, winning on move 127. The positions are: Georgia 12/16; England and Romania 10 1/2; Hungary 10; Russia, Armenia, Greece, Germany, Lithuania all 9 1/2.

Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

Winning Move

White to play. This position is from the game Bologan — Hubner, German Bundesliga 1997. Top class chess is often about taking your chances. Here White continued 1 Qh7 and eventually lost. What was the chance that he missed?



British Association county championship

Essex v Durham

CHELMSFORD (first day of four; Essex won toss): Durham, with seven first-innings wickets in hand, are 115 runs behind Essex

Essex: First innings	Score
G A Gooch c Lewis b Kilian	4
P J Procter c Knight b Kilian	4
N Hussain bow b Brown	4
C R Cresswell c Knight b Kilian	4
R C Lester b Brown	4
P A Grayson c Knight b Kilian	4
D P Law c Foster b Kilian	4
IS J Hyam c Knight b Kilian	4
R D Cresswell c Knight b Kilian	4
A P Coward bow b Brown	4
P M Stach not out	2
Suma (D 7, W 2, nb 8)	2
Total (84.1 overs)	227

FALL OF WICKETS: 1-8, 2-9, 3-13, 4-17, 5-22, 6-27, 7-31, 8-32, 9-33, 10-34, 11-35, 12-36, 13-37, 14-38, 15-39, 16-40, 17-41, 18-42, 19-43, 20-44, 21-45, 22-46, 23-47, 24-48, 25-49, 26-50, 27-51, 28-52, 29-53, 30-54, 31-55, 32-56, 33-57, 34-58, 35-59, 36-60, 37-61, 38-62, 39-63, 40-64, 41-65, 42-66, 43-67, 44-68, 45-69, 46-70, 47-71, 48-72, 49-73, 50-74, 51-75, 52-76, 53-77, 54-78, 55-79, 56-80, 57-81, 58-82, 59-83, 60-84, 61-85, 62-86, 63-87, 64-88, 65-89, 66-90, 67-91, 68-92, 69-93, 70-94, 71-95, 72-96, 73-97, 74-98, 75-99, 76-100, 77-101, 78-102, 79-103, 80-104, 81-105, 82-106, 83-107, 84-108, 85-109, 86-110, 87-111, 88-112, 89-113, 90-114, 91-115, 92-116, 93-117, 94-118, 95-119, 96-120, 97-121, 98-122, 99-123, 100-124, 101-125, 102-126, 103-127, 104-128, 105-129, 106-130, 107-131, 108-132, 109-133, 110-134, 111-135, 112-136, 113-137, 114-138, 115-139, 116-140, 117-141, 118-142, 119-143, 120-144, 121-145, 122-146, 123-147, 124-148, 125-149, 126-150, 127-151, 128-152, 129-153, 130-154, 131-155, 132-156, 133-157, 134-158, 135-159, 136-160, 137-161, 138-162, 139-163, 140-164, 141-165, 142-166, 143-167, 144-168, 145-169, 146-170, 147-171, 148-172, 149-173, 150-174, 151-175, 152-176, 153-177, 154-178, 155-179, 156-180, 157-181, 158-182, 159-183, 160-184, 161-185, 162-186, 163-187, 164-188, 165-189, 166-190, 167-191, 168-192, 169-193, 170-194, 171-195, 172-196, 173-197, 174-198, 175-199, 176-200, 177-201, 178-202, 179-203, 180-204, 181-205, 182-206, 183-207, 184-208, 185-209, 186-210, 187-211, 188-212, 189-213, 190-214, 191-215, 192-216, 193-217, 194-218, 195-219, 196-220, 197-221, 198-222, 199-223, 200-224, 201-225, 202-226, 203-227, 204-228, 205-229, 206-230, 207-231, 208-232, 209-233, 210-234, 211-235, 212-236, 213-237, 214-238, 215-239, 216-240, 217-241, 218-242, 219-243, 220-244, 221-245, 222-246, 223-247, 224-248, 225-249, 226-250, 227-251, 228-252, 229-253, 230-254, 231-255, 232-256, 233-257, 234-258, 235-259, 236-260, 237-261, 238-262, 239-263, 240-264, 241-265, 242-266, 243-267, 244-268, 245-269, 246-270, 247-271, 248-272, 249-273, 250-274, 251-275, 252-276, 253-277, 254-278, 255-279, 256-280, 257-281, 258-282, 259-283, 260-284, 261-285, 262-286, 263-287, 264-288, 265-289, 266-290, 267-291, 268-292, 269-293, 270-294, 271-295, 272-296, 273-297, 274-298, 275-299, 276-300, 277-301, 278-302, 279-303, 280-304, 281-305, 282-306, 283-307, 284-308, 285-309, 286-310, 287-311, 288-312, 289-313, 290-314, 291-315, 292-316, 293-317, 294-318, 295-319, 296-320, 297-321, 298-322, 299-323, 300-324, 301-325, 302-326, 303-327, 304-328, 305-329, 306-330, 307-331, 308-332, 309-333, 310-334, 311-335, 312-336, 313-337, 314-338, 315-339, 316-340, 317-341, 318-342, 319-343, 320-344, 321-345, 322-346, 323-347, 324-348, 325-349, 326-350, 327-351, 328-352, 329-353, 330-354, 331-355, 332-356, 333-357, 334-358, 335-359, 336-360, 337-361, 338-362, 339-363, 340-364, 341-365, 342-366, 343-367, 344-368, 345-369, 346-370, 347-371, 348-372, 349-373, 350-374, 351-375, 352-376, 353-377, 354-378, 355-379, 356-380, 357-381, 358-382, 359-383, 360-384, 361-385, 362-386, 363-387, 364-388, 365-389, 366-390, 367-391, 368-392, 369-393, 370-394, 371-395, 372-396, 373-397, 374-398, 375-399, 376-400, 377-401, 378-402, 379-403, 380-404, 381-405, 382-406, 383-407, 384-408, 385-409, 386-410, 387-411, 388-412, 389-413, 390-414, 391-415, 392-416, 393-417, 394-418, 395-419, 396-420, 397-421, 398-422, 399-423, 400-424, 401-425, 402-426, 403-427, 404-428, 405-429, 406-430, 407-431, 408-432, 409-433, 410-434, 411-435, 412-436, 413-437, 414-438, 415-439, 416-440, 417-441, 418-442, 419-443, 420-444, 421-445, 422-446, 423-447, 424-448, 425-449, 426-450, 427-451, 428-452, 429-453, 430-454, 431-455, 432-456, 433-457, 434-458, 435-459, 436-460, 437-461, 438-462, 439-463, 440-464, 441-465, 442-466, 443-467, 444-468, 445-469, 446-470, 447-471, 448-472, 449-473, 450-474, 451-475, 452-476, 453-477, 454-478, 455-479, 456-480, 457-481, 458-482, 459-483, 460-484, 461-485, 462-486, 463-487, 464-488, 465-489, 466-490, 467-491, 468-492, 469-493, 470-494, 471-495, 472-496, 473-497, 474-498, 475-499, 476-500, 477-501, 478-502, 479-503, 480-504, 481-505, 482-506, 483-507, 484-508, 485-509, 486-510, 487-511, 488-512, 489-513, 490-514, 491-515, 492-516, 493-517, 494-518, 495-519, 496-520, 497-521, 498-522, 499-523, 500-524, 501-525, 502-526, 503-527, 504-528, 505-529, 506-530, 507-531, 508-532, 509-533, 510-534, 511-535, 512-536, 513-537, 514-538, 515-539, 516-540, 517-541, 518-542, 519-543, 520-544, 521-545, 522-546, 523-547, 524-548, 525-549, 526-550, 527-551, 528-552, 529-553, 530-554, 531-555, 532-556, 533-557,

Sport must put dancing in its place

Take your partners for this week's great debate: is dancing a sport? It is a question prompted by a fierce dispute over the annual ballroom dancing match between Oxford and Cambridge Universities, which was fought out over the weekend.

This year, for the first time, female ballroom dancers from Oxford were eligible for a full Blue. The Oxford men who partnered them, by contrast, were awarded only a half-Blue. And, while the Cambridge ladies qualified for a half-Blue, for the men at Cambridge there were no Blues at all.

On Monday night, after a Cambridge victory in the match, the Cambridge Blues Committee decided unanimously that things should stay that way — with no Blues for the university's men. So, does the Cambridge Blues Committee comprise fully paid-up members of the Dinosaur Tendency, or are they the still small voice of common sense?

In 1995, the International Olympic Committee gave provisional recognition to ballroom dancing. On the back of this, there has been huge pressure from the dancers to win wider recognition for their activity as a sport.

They have renamed it "Dancesport" and claim that, in terms of physical fitness, ballroom dancers are now right up there with the nation's top athletes. They have wheeled out experts from the University of Western Australia, who found that competitive dancers required high levels of cardiovascular fitness and concluded that "it is as demanding as basketball, squash or

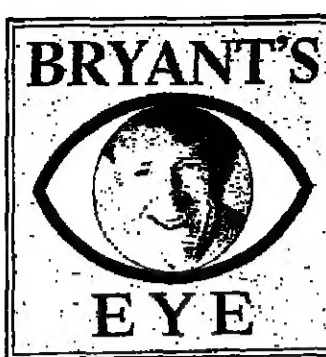
cross-country running".

Ballroom dancing's claims to being a sport, however, leave many unconvinced. "The subject comes before us every two years," Dr Christopher Thorne, the secretary of the Cambridge Blues Committee for the past 20 years, said, "but ballroom dancing has never received a single vote for half-Blue status from the 14 men captains."

"Dancing," Thorne added, "is like eating and drinking — a social grace, not a sport." While complimentary about the energy, skill and dedication of dancers, the Blues committee considers dancing only marginally more of a sport than ploughing or stamp collecting — both of which have applied for Blues status in the past.

As for the Olympic recognition, Thorne said: "We have been around longer than the Olympic movement and our views are quite as valid. Perhaps, when dancing makes the back pages of our tabloid newspapers, we will reconsider." Other critics can be even fiercer. One pundit snorted: "It is not a sport, it's foreplay."

There is certainly a lot of sex and mad tradition in the beguiling mélange that is ballroom dancing. The activity began more than 70 years ago as a ritualised mating prelude for the upper classes. Now, as it aspires to be a



sport, its archaic traditions are under threat as never before.

Many believe that ballroom dancing lost its sense of direction when it started flirting with the Olympics. Most of the arguments in favour of recognising it as a sport (fit for inclusion in the Games or the university matches) boil down to the plea that the Olympics already include other activities that are artistic rather than competitive, like ice dancing and synchronised swimming.

With sports like these in the Games, you cannot leave out ballroom, the dancers clamour. It would, however, make much more sense to leave them all out. The last Olympics in Atlanta creaked painfully under the weight of a bloated catalogue of sports.

Worldwide, ballroom dancing has boomed and top couples can earn well in excess of £50,000 a year from lecturing, coaching and exhibitions. Inevitably, ballroom dancing looks likely to be given the full television treatment and the big agents are poised to milk it for all it is worth.

In his application made this February for full-Blue status for ballroom dancing, Paul Dean, the Oxford University captain, cited a number of reasons why ballroom dancing should be considered a "true sport". Among them is "the fact that, last year,

measures were introduced to provide for random drug testing ..."

Drug testing? The very mention of it is a sad, and significant, indicator of the damage being caused by those obsessed with turning dancing into "Dancesport". National-level dancers — and there are not many of those in the universities — will tell you that competition has already distorted ballroom dancing so much that it now bears no relation to social dancing.

"We couldn't go to a normal dancefloor," one told me, "we'd kick everybody over. In a hall where you might normally have 200 dancers enjoying themselves, you could not allow more than six or seven if they were competing."

Sadly, the dancers do not seem to realise where they are heading. Their obsession with turning their ballroom into a gymnasium is distorting beyond recognition what should be a beautiful and elegant ritual. The intervarsity dancers who took their tails and taffets on to a floor marked out for badminton and basketball at the weekend seem blind to the threat that they could end up with a sport that owes more to steroids than to sequins.

Will their highly-trained bodies be clothed in shell-suits and their feet protected by Nike Danceshoes? Why bother? Ballroom dancing should be fun, romantic, sexy, magnificent. When danced well, a waltz is a wonder. But can such magic survive as a sport?

JOHN BRYANT

EQUESTRIANISM: NEW PARTNERSHIP GAINS SURPRISE WIN AT WINDSOR

Lampard grasps opportunity

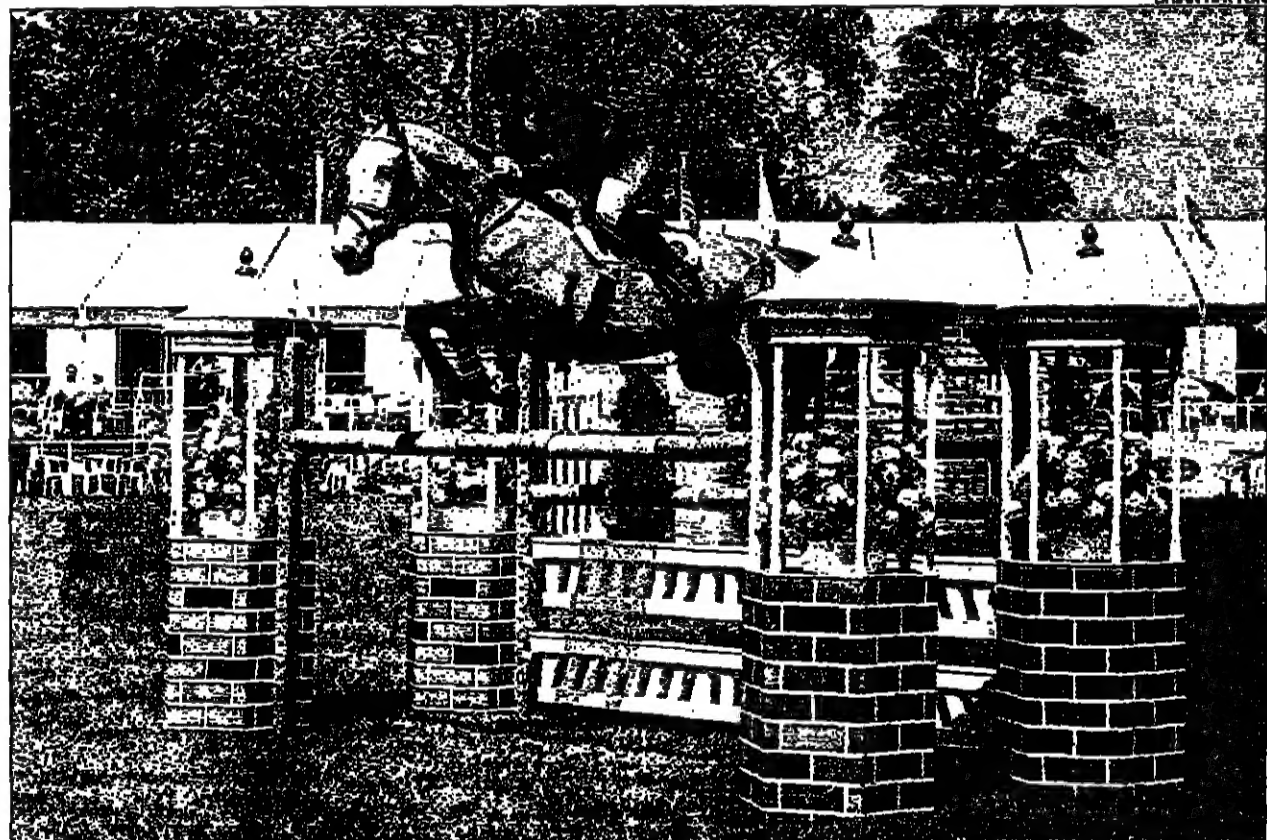
By Jenny MacArthur

DI LAMPARD, one of five riders who have been selected for the nations' cup meeting in Rome next week, made an impressive start to the Royal Windsor Horse Show yesterday when she and the ten-year-old stallion, Audacity, a horse she started riding only three months ago, won, with some comfort, the opening Land Rover Grade A event.

Reveling in the excellent going in Windsor's upgraded main arena, Audacity, owned by Jenny Willment, galloped neatly round the 12-fence course to relegate Geoff Luckett and Clover Chief to second place by 4.79sec.

The ease of the win came as a surprise to the Leicester-shire-based Lampard — "I was sure one of the later horses would be faster, I knew I hadn't gone crazy fast," she said — but several top partnerships, including Michael Whitaker with Virtual Village Ashley and Nick Skelton with Virtual Village Showtime, who are members of the British team for the nations' cup on Sunday, used the class as a "school" for bigger events to come and made no attempt to match Lampard's time. Guy Williams, on Harlem, was the only rider to improve on Lampard's time, but paid the penalty with eight faults.

For Lampard, who just



John Whitaker and Nebel negotiate an obstacle in the Land Rover Grade A event at the Royal Windsor Show

missed out on a place at the Olympic Games last year, the win follows an eventful few months in which she has acquired a new sponsor and three new Grade A horses.

She was telephoned "out of the blue" by Willment in February and offered both Audacity and Equity, horses formerly ridden by Clare McCauley. Two months ago, she also accepted the ride on Flaminka, a mare from Paul Darrah's yard.

Today, Lampard brings out her top horse, Abbeville Dream, for the new Hildon International Team Trial, one of four trials designed to improve the selection process for the British team for this year's European championships. A league table will be produced in July based on a rider's best three results.

The innovation has been welcomed by riders. Alison Bradley, who lost her place on the British team when her top horse, Endeavour, was sold to the United States at the end of 1995, said it would be "fairer for all". She hopes to make her mark on Arvon II, a former advanced event horse that she started riding last June. Yesterday, the 12-year-old geld-

ing, on which she has been regularly placed on the county show circuit, underlined his scope with a stylish clear round that put Bradley in seventh place.

RESULTS

LAND ROVER GRADE A: 1. Audacity II (D Lampard) 0 faults, 66.02sec; 2. Clover Chief (G Luckett) 0, 70.81; 3. Hilda (J Stockdale) 0, 73.18; 4. Virtual Village Ashley (M Whitaker) 0, 73.18; 5. Virtual Village Showtime (N Skelton) 0, 73.18; 6. Harlem (G Williams) 8 faults, 73.18; 7. Flaminka (P Darrah) 0, 73.18; 8. Endeavour (A Bradley) 0, 73.18; 9. Arvon II (D Lampard) 0, 73.18; 10. Nebel (J Whitaker) 0, 73.18; 11. Equity (C McCauley) 0, 73.18; 12. Abbeville Dream (D Lampard) 0, 73.18; 13. Hilda (J Stockdale) 0, 73.18; 14. Virtual Village Ashley (M Whitaker) 0, 73.18; 15. Virtual Village Showtime (N Skelton) 0, 73.18; 16. Harlem (G Williams) 8 faults, 73.18; 17. Flaminka (P Darrah) 0, 73.18; 18. Endeavour (A Bradley) 0, 73.18; 19. Arvon II (D Lampard) 0, 73.18; 20. Nebel (J Whitaker) 0, 73.18; 21. Equity (C McCauley) 0, 73.18; 22. Abbeville Dream (D Lampard) 0, 73.18; 23. Hilda (J Stockdale) 0, 73.18; 24. Virtual Village Ashley (M Whitaker) 0, 73.18; 25. 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THE TIMES THURSDAY MAY 15 1997

A thriller not so much clueless as plotless

Just when you were beginning to worry that — for a thriller — there have so far been curiously few cliff-hanging twists in the plot of *Melissa* (Channel 4), it suddenly dawns on you that what you actually sit down calmly and take a closer look, there doesn't even seem to be a plot there at all. Hands up who has a clue what might be going on in Alan Bleasdale's lushly filmed but utterly unengaging drama. At the end of last night's episode, the third, Melissa herself cops it. The fifth corpse, I think, but I've lost track — not because I can't count, but because there has been nothing very much to link the murders and too few clues as to who might have done it. We need herings please, Mr. Bleasdale, and plenty of red ones, if we're to have any chance of cracking the crimes ahead of your Detectives Cameron and Kilshaw. We won't be upset, or hold it against you, if we're eventually

proved wrong: some of Britain's most senior detectives obtain convictions on evidence which, years later, proves to be as solid as yoghurt. No, all we want is to be able to laze on the sofa, place together some evidence and point our finger at somebody. Anybody. As it is, we might as well just stick a pin in the cast list. If Jennifer Ehle's Melissa really is dead with two episodes still to go, we're going to have to get more used to that Guy Fawkes. Guy has now lost two wives. Careless. He is proving to be a worry in other ways, too. This award-winning writer, correspondent, who agreed to marry Melissa after knowing her for barely a day, is the deluxe Fleet Street model. He gets morally lost about justice; he has a vodka problem; he still uses a manual, portable typewriter; he hangs after "truth"; walking past a TV shop while shopping, he catches sight of a war report on the news

and dramatically drops his carrier bag full of Fairy Liquid and Wetabix and catches the next plane out of Heathrow. Somehow you get the feeling that it's not because he last suddenly taken against breakfast cereal. In reality, journalists sit around for much of the day smoking each other's cigarettes and drinking coffee from special vending machines which recreate the authentic flavour of coffee, providing coffee is supposed to taste like it was made from mud, hot water and Tupper correction fluid. Naturally, we all strive for accuracy. But where absolute truth is impossible to pin down, responsible journalists will always check with at least two reliable colleagues that what we are about to write sounds plausible enough to get past the night lawyer. Having seen one massacre too many in Bosnia, Foster last night

turned his back on journalism. (This was after refusing a job back in London as TV critic because that would be "an insult", ha ha, just Bleasdale's little joke). He then tried to write a novel. Big mistake. Not for him, maybe. But certainly for us. After several frustrating days of pulling unpromising sheets of A4 out his Olivetti portable (they'll have to replant Norway before he has

finished even one chapter), we had to try to decipher what Guy meant when he greeted Melissa — the poor girl had just walked in after a hard day's work — with the words: "I've spent the last 14 years of my working life attempting to write the truth... Avoiding anything that was made up, or mixed up, or coming with spin. Writing fiction is basically all about the art of lying, skilfully... It should be easy now. For the very first time since I last wrote fiction I have permission to cheat and to lie. I can't turn a train into a plane. I see a train. That's all I see. I haven't seen a plane all day." Hello? What can you say, except that sitting indoors won't help. Get yourself to Garwick, Guy, and for heaven's sake make it pronto. In last night's final scene, Melissa's blood-soaked body looked a bit like "Carrie Barbie". This blood-covered Barbie doll which you

would have had to trek all the way to a San Francisco art gallery to see if Mark Lamarr and his crew from *Planet Showbiz* (Channel 4) hadn't saved us the effort. "Carrie Barbie" shares exhibition space with "Rosemary's Barbie" (a Barbie stepped in a bottle of olive oil and rosemary). "Drag Queen Barbie" and "Voodoo Barbie" (who looks like a cheesecake-swathed pin-cushion).

Barbie is big enough to have her own art show because she is an American icon. English women take a magazine photo of Helena Christensen or Jennifer Aniston to their local hairdresser and say "I want my hair to look like that". Many American women must take their Barbies to their local plastic surgeon and say: "I want to look like that". Pamela Anderson — who is now so improbably outsized with her big breasts, big lips and big blonde hair that she makes Diana Dors seem classy — almost does look like that. Her hairstyle has been designed in a wind tunnel, turns out to be an unexpectedly likeable host. The recipe for this sort of show tends to be let's-go-to-America-and-snigger-or-swoon. Lamarr neither sniggers nor swoons. His success may be due to the fact that he relays the latest from America without needlessly hogging the screen with either his face or his wisecracks. "Banish those gloomy corners", last night's *Home Front* (BBC2) commanded us. Lighting expert Kevin McClelland visited a viewer who was desperate to shed more light into her home. All it actually took was a crown-silvered reflector bulb, costing £2.35, to illuminate several dark corners of her sitting room. It couldn't hurt to get one installed before episode four of *Melissa* next Monday.



Joe Joseph

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- BBC1**
- 6.00am Business Breakfast (24844)
 - 7.00am BBC Breakfast News (1) (39202)
 - 9.00am Breakfast News Extra (1) (306452)
 - 9.20am Style Challenge (651500)
 - 9.45am Kilroy (760757)
 - 10.30am Can't Cook, Won't Cook (74202)
 - 11.00am News (1) Regional News and Weather (7604202)
 - 11.05am The Great Escape (701202)
 - 11.35am Change That (3290496)
 - 12.00am News (1) Regional News and Weather (8231573)
 - 12.05pm Call My Bluff (868379)
 - 12.35pm Going for a Song (8327976)
 - 1.00pm One O'Clock News (1) (48689)
 - 1.30pm Regional News (8685452)
 - 1.40pm The Weather Show (8683079)
 - 1.45pm Neighbours (40743221)
 - 2.10pm Quilby (1) (852223)
 - 2.25pm Through the Keyhole (8258776)
 - 3.30pm Sleepers on Style (832047)
 - 3.30pm Playdays (811047) 3.30pm Postman Pat (825641) 4.05pm The All New Popeye Show (4074743) 4.25pm Julia Jekyll and Hermit Hyde (8575403) 4.35pm Return to Jupiter (1223047)
 - 5.00pm Newsround (4481979)
 - 5.10pm No Sweat (8250405)
 - 5.35pm Neighbours (1) (1) (481318)
 - 6.00pm Six O'Clock News (1) (825)
 - 6.30pm Regional News (405)
 - 7.00pm Watchdog Healthcheck Special report on meningitis, a disease which kills more than 500 people a year and for which there is no childhood vaccine. An exclusive Watchdog Healthcheck poll reveals that parents still know very little about meningitis (1009)
 - 7.30pm EastEnders George's shady business life comes under scrutiny, and Dot starts a new career in the video shop (1) (869)
 - 8.00pm Animal Hospital Roll Harris watches vets perform a tricky operation on a fish and Shauna Lee looks at a farm secretary with 90,000 pigs (1) (7247)
 - 8.30pm Keeping Mum Richard buys Peggy a dog, but who will end up looking after it? (1) (2552)
 - 9.00pm Nine O'Clock News (1) (8134)
 - 9.30pm 999 How two young climbers trapped in a snowfield defied the odds to walk away unharmed (25518)
 - 10.20pm The Lying Game New series presented by Angus Deayton (1) (45258)
 - 10.55pm Question Time With the Government's new programme set out in the Queen's Speech yesterday, Ruth Lea, Baroness Williams and MP Kenneth Clarke and Peter Mandelson answer questions from the audience on the issues which matter most to them. Presented by David Dimbleby (4741025)
 - 12.00am The Summer of White Roses (1989) With Tom Conti, wartime drama about a simple fishmonger employed as a fake, frequented by Nazis, who jeopardises his life and liberty by agreeing to help a Jewish family's widow. Directed by Rajko Grlic (825335)
 - 1.35am Weather (311245)
- VideoPlus+ and the Video PlusCode**
- The numbers next to each TV programme listing are Video PlusCode numbers, which allow you to programme your video recorder instantly with a VideoPlus+ handset. Tap in the Video PlusCode for the programme you wish to record. VideoPlus+ is available on all VideoPlus+ channels. For more information, see the Video PlusCode and Video PlusCode numbers on the back of the Video PlusCode handset.

- BBC2**
- 6.00am Open University: Easing the Pain (8330047) 6.25pm Finding in the Brain (8319554) 6.50pm Seasonal Affective Disorder (860457) 7.15pm News (1) (3792757) 7.30pm Teenage Ment Hare (8514008) 7.55pm Blue Peter (1) (1004467) 8.20pm Frensham Farm (8691405) 8.35pm The Record (1) (3198641)
 - 9.00pm The Developing World (8261115) 9.25pm Christianity in Today's World (3041641) 9.45pm Watch Out! (7442390) 10.00pm Teletubbies (91554) 10.30pm Storytime (865047) 10.45pm The Experimenter (8612134) 11.05pm Space 4.25pm Earth (11.15pm) Moving to English (8690312) 11.35pm Landmarks: Britain Since 1930 (5050478) 12.00pm Opening Up Technology (83198)
 - 12.30pm Working Lunch (75888) 1.00pm Lifeschool (22202554) 1.25pm Science in Action (70468467) 1.45pm Numberline (86631641) 2.00pm Frensham Farm (10574029) 2.10pm The Flying Vet (9376248) 2.30pm The Mill (738) 3.00pm News (1) (8399573)
 - 3.05pm Westminster with Nick Ross (8675541) 3.55pm News (1) (847047) 4.00pm Bloodlust (845495) 4.25pm Steady, Cook (8455233) 4.55pm Esther (1350000) 5.30pm Today's the Day (541)
 - 6.00pm Star Trek: Deep Space Nine (1) (236863)
 - 6.45pm Quantum Leap Sam leaps to 1953. He sees his own face in the mirror but he's older (1) (1) (434467)
- Victims of racial hate (7.30pm)**
- 7.30pm East Lisa Aziz investigates racial bullying in schools (1) (831)
- 8.00pm Regional Programmes (8399)**
- 8.30pm Top Gear Steve Berry on the market for a new car. Plus the viewers' design contest winners (1) (2414)
- 9.00pm Absolutely Fabulous Edna is worried about her weight (1) (1) (8776)
- 9.30pm This Life Nick Collins in Egypt about the father of his child; Fanny confronts Mia (1) (822863)
- 10.15pm A Woman Called Smith Margaret Smith records a CD, 26 years after she was invited by Edmond Andrews to audition for a record company (1) (867252)
- 10.25pm Video Nation shorts (522486)
- 10.30pm Newsnight (712730)
- 11.15pm Late Review with Mark Lawson, Tony Parsons, Tom Paulin and Allison Pearson (712886)
- 12.00pm The Nightingale Hour with Trevor Phillips (42546)
- 12.30am Learning Zone: Open University: A New Sun is Born (8187) 1.00pm Relationships (83055) 1.20pm Understanding Organisations (45581) 1.40pm Speaking Our Language/French on a Plate (94061) 5.00pm-5.59pm Business and Work (86957)**

- HTV**
- 6.00am GMTV (4617950)
 - 6.25pm Supermarket Sweep (1) (1) (8523028)
 - 9.55pm Regional News (341883)
 - 10.00pm The Time, the Place (88080)
 - 10.30pm This Morning (82660134)
 - 12.20pm Regional News (8237757)
 - 12.30pm News (1) and weather (8313776)
 - 12.55pm Wish You Were Here (1) (8398467)
 - 1.25pm Home and Away (1) (70479573)
 - 1.50pm Afternoon Live (40726554)
 - 2.20pm Vanessa (1) (40614825)
 - 2.50pm Afternoon Live (2633405)
 - 3.20pm News (836983) 3.25pm Regional news and weather (835134)
 - 3.30pm The Riddlers (1) (8642921) 3.40pm Wizards (1) (7277028) 3.50pm Rupert (1) (800931) 4.15pm Mike and Angelo (1) (4072370) 4.40pm Sweet (1) (8481853)
 - 5.10pm A Country Practice (7976889)
 - 5.40pm News (1) and weather (840134)
 - 6.00pm Home and Away (941221)
 - 6.25pm HTV Weather (360912)
 - 6.30pm The West Tonight (573)
 - 7.00pm Exmerdale Elf confronts Sandra at his father's funeral (1) (9405)
 - 7.30pm A 3D report on why rail travellers are enduring the misery of crowded train journeys, while at several military bases, the Army stands guard over unused rail carriages (1) (757)
 - 8.00pm The Bill A man found nursing a broken arm in a private garage claims he was taking a short cut, a last look at Can Rawlin prove otherwise? (1) (8525)
- Wray and Webster (8.30pm)**
- 8.30pm My Wonderful Life Donna is shocked when daughter Shirley announces she'd like to attend the local Roman Catholic school. She and the local Lawrence try to change her mind. With Emma Wray and Gary Webster (1) (7630)
- 9.00pm Bodyguards: Know Thine Enemy** Shaw and Wrenell have a professional difference of opinion with American bodyguards assigned to protect a high-ranking US politician touring Britain. With Sean Pertwee, Louise Lombard, John Shrapnell and Aaron Schwartz (1) (484)
- 10.00pm News at Ten (1) and weather (81579)**
- 10.30pm London Tonight (1) (103738)**
- 10.40pm The West This Week (85979)**
- 11.30pm Frizzle Frame (859414)**
- 11.45pm Highlander (403370)**
- 12.40pm In Bed with McDiarmid (8632177)**
- 1.10pm Yummy Business (8748177)**
- 1.40pm Cyber Cafe (3443245)**
- 2.10pm Stand and Deliver (2062061)**
- 3.05pm 3-D (8340448)**
- 3.35pm The Good Sex Guide Late (3178516)**
- 4.35pm The Time, the Place (7287581)**
- 5.00pm Garden Calendar (19974)**
- 5.30pm News (86581)**

- HTV West except:**
- 12.55pm-1.25pm A Country Practice (8398467)
 - 5.10-5.40pm Shortland Street (7976889)
 - 6.25pm Central News (476912)
 - 10.40pm Pulling Power (847221)
 - 11.10-11.40pm Millionaire (8561979)
 - 11.40pm Highlander (133685)
 - 12.40pm Funnies Business (8632177)
 - 1.10pm Ed's Night Party (8748177)
 - 1.40pm Club Nation (5078852)
 - 2.45pm Access All Areas (828790)
 - 3.10pm Stand and Deliver (171328)
 - 4.05pm Central Jobfinder '97 (7532429)
 - 5.20pm Asian Eye (8606871)
- As HTV West except:**
- 12.55pm Home and Away (8137912)
 - 1.20-1.50pm Emmerdale (22215026)
 - 5.10-5.40pm Home and Away (7976889)
 - 6.00-7.00pm Westcountry News (26383)
 - 10.30pm Westcountry News (127318)
 - 10.45pm Moments of Madness (140028)
 - 11.15pm Roadrunner (130641)
 - 11.45pm New York News (403370)
- As HTV West except:**
- 12.55pm-1.25pm Shortland Street (8398467)
 - 5.10-5.40pm Home and Away (7976889)
 - 6.00pm Meridian Tonight (221)
 - 6.30-7.00pm Grass Roots (573)
 - 10.30pm Meridian News and Weather (127318)
 - 10.45pm Film: With Hostile Intent (3561365)
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 - 6.25pm Anglia News (476912)
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 - 11.10pm Go Fishing (591979)
 - 11.40pm Hunter (153863)
- Starts: 6.00am Sesame Street (27554)**
- 7.00pm The Big Breakfast (22912)
 - 9.00pm Bewitched (78028)
 - 9.30pm Yagellon (150318)
 - 12.00pm House to House (81592)
 - 12.30pm Ricki Lake (82196)
 - 1.00pm Mel Martin (8487888)
 - 1.15pm Deri Dog (83322793)
 - 1.30pm Waterways (91467)
 - 2.00pm Racing from York (7757)
 - 4.00pm Fifteen-to-One (486)
 - 4.30pm Running Wild (370)
 - 5.00pm 5 Pump (7283)
 - 5.30pm Countdown (950)
 - 6.05pm Heno (486399)
 - 6.35pm Sion (377202)
 - 7.00pm Poley Cows (572080)
 - 7.25pm Tally Ho! (854487)
 - 8.00pm Yng Nighmml — Caryl (3467)
 - 8.30pm Newydd (5202)
 - 9.00pm Matorion Tractor: Artur Ar Werth (1844)
 - 9.30pm Meliss (8273008)
 - 10.50pm Film: Kill Me Again (83599028)
 - 12.00pm Dispatches (7046264)
 - 1.25pm The Entertainers (4208863)

- CENTRAL**
- 6.00am Sesame Street (1) (27554) 7.00pm The Big Breakfast (22912) 9.00pm Bewitched (1) (78028)
 - 9.30pm Schools: Equinox Plus 10.25pm Geographic Eye 10.45pm The English Programme 11.30pm The English Programme (150318)
 - 12.00pm House to House (81592) 12.30pm Light Lunch: Cookery and chat with celebrity guests (95912) 1.30pm Waterways (1) (91467)
 - 2.00pm Racing from York: Brough Scott introduces a four-race card includes 3.10pm The Yorkshire Cup and 3.04pm Michael Seely Memorial Glasgow Stakes (7757)
 - 4.00pm Fifteen-to-One (1) (486) 4.30pm Countdown (1) (370) 5.00pm Ricki Lake (1) (82196) 5.30pm Pei Rescue (1) (850)
 - 6.00pm Springhill: The Freeman's last Nick as he spends his last night in home (1) (883)
 - 6.30pm Holyoaks: Jude gets an indecent proposal from a client (1) (115)
 - 7.00pm Channel 4 News (1) (253689)
 - 7.30pm Rhythme and Reason (1) (258399)
 - 8.00pm Health Alert (2/8) Shenzai Shenzai's Pakizwan looks at the drug which she says the biggest threat to children in Britain today: alcohol (1) (8487)
 - 8.30pm Taste of the Times: Sophie Gulson experiments with sweet potatoes, air-dried ham and balsamic vinegar (1) (5202)
 - 9.00pm Dispatches: Why has the Ministry of Defence continued to deny that any troops were exposed to chemical weapons during the Gulf War despite overwhelming evidence to the contrary? (1) (85354)
 - 9.45pm Bright Sparks: Chingang Conrad Shikamori's film looks at the employees and passengers on the Sandbank Chain Ferry, in Poole Harbour, Dorset (1) (5134)
- As HTV West except:**
- 12.55pm-1.25pm Shortland Street (8398467)
 - 5.10-5.40pm Home and Away (7976889)
 - 6.00pm Meridian Tonight (221)
 - 6.30-7.00pm Grass Roots (573)
 - 10.30pm Meridian News and Weather (127318)
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- CHANNEL 5**
- 6.00am Sesame Street (1) (27554) 7.00pm The Big Breakfast (22912) 9.00pm Bewitched (1) (78028)
 - 9.30pm Schools: Equinox Plus 10.25pm Geographic Eye 10.45pm The English Programme 11.30pm The English Programme (150318)
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 - 9.45pm Bright Sparks: Chingang Conrad Shikamori's film looks at the employees and passengers on the Sandbank Chain Ferry, in Poole Harbour, Dorset (1) (5134)
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- CHANNEL 5 ON SATELLITE**
- Channel 5 is now broadcasting on transponder N 63 on the Astra Satellite. Viewers with a Videocrypt decoder will be able to receive the channel free of charge. Frequencies for transponder N 63 are: 10.52075 GHz; sound: 7.02 and 7.20 MHz
- 6.00am 5 News Early (8737979) 7.30am Havalazoo (8582359) 8.00am Adventures of the Bush Patrol (8425221) 8.30am WideWorld (8425221)
 - 9.00am Espresso (2462844) 10.00am Exclusive (1) (7049757) 10.30pm The Great Garden Game (1) (8411028)
 - 11.00am Lameza (1986028) 11.50pm Double Espresso (3448318) 12.00pm The Bold and the Beautiful (1) (8495080) 12.30pm Family Affairs (1) (1) (4514308)
 - 1.00pm 5 News Update (8830318) 1.05pm Sunset (1) (3584641) 2.00pm 5's Company (7006370)
 - 3.30pm The Happening (1967) with Anthony Quinn, George Maharis and Michael Parks. A big-time racketeer discovers he is not as important as he thought he was. Directed by Elliot Silverstein (353912)
 - 5.20pm 5's Company: Late Extra (3536184)
 - 5.30pm 100 Per Cent (8277221)
 - 6.00pm Whistle (1) (8274134)
 - 6.30pm Family Affairs: Annie and Chris are infuriated by the Cockerill's accusations (1) (825488)
 - 7.00pm Exclusive News from the entertainment world (4811757)
 - 7.30pm Animal Omens: Wild Weather An examination of the best known country sayings about weather. As a change in the weather can mean life or death to an animal, can they be relied upon? (1) (8254370)
 - 8.00pm Nancy Lam Assisted by her husband Ben, the oriental chef prepares a Lobster Nancy-style as well as pineapple salad and a Kai-Lai Chinese vegetable dish (1) (8516355)
 - 8.30pm 5 News (8061450)
- Irving and Dreyfuss (8.00pm)**
- 9.00pm The Competition (1980) with Richard Dreyfuss, Amy Irving and Les Remick. A concert pianist makes one last attempt to gain international recognition. Directed by Joel Olszansky (1092221)
- 11.00pm The Jack Docherty Show** Chat and comedy (5837196)
- 11.40pm Bring Me the Head of Light** Entertainment Comedy panel game (824675)
- 12.10am Live and Dangerous: Through-the-Banks, the new Minister for Sport (3274103)**
- 4.40pm Prisoner: Cell Block H (4006597)**
- 5.30pm 100 Per Cent (1) (2347581)**

- SKY 1**
- 6.00am Morning Glory (833012) 6.30am People and Media (833012) 6.50am People and Media (833012) 7.00am People and Media (833012) 7.30am People and Media (833012) 7.50am People and Media (833012) 8.00am People and Media (833012) 8.30am People and Media (833012) 8.50am People and Media (833012) 9.00am People and Media (833012) 9.30am People and Media (833012) 9.50am People and Media (833012) 10.00am People and Media (833012) 10.30am People and Media (833012) 10.50am People and Media (833012) 11.00am People and Media (833012) 11.30am People and Media (833012) 11.50am People and Media (833012) 12.00am People and Media (833012) 12.30am People and Media (833012) 12.50am People and Media (833012) 1.00am People and Media (833012) 1.30am People and Media (833012) 1.50am People and Media (833012) 2.00am People and Media (833012) 2.30am People and Media (833012) 2.50am People and Media (833012) 3.00am People and Media (833012) 3.30am People and Media (833012) 3.50am People and Media (833012) 4.00am People and Media (833012) 4.30am People and Media (833012) 4.50am People and Media (833012) 5.00am People and Media (833012) 5.30am People and Media (833012) 5.50am People and Media (833012) 6.00am People and Media (833012)
- SKY 2**
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- SKY MOVIES**
- Worldwide news coverage, with bulletins on the hour, 24 hours a day, seven days a week
- SKY 3**
- 6.00am The Seventh Dawn (1964) (

RACING 43

Benny The Dip advances claims for the Derby

SPORT

THURSDAY MAY 15 1997

CRICKET 44-45

Surrey forced on to back foot by pace-setters



Premier League rejects criticisms

Leaver returns fire against club chairmen

BY RUSSELL KEMPSON

THE dust had barely settled on a dramatic conclusion to the football season when Peter Leaver, QC, the new chief executive of the FA Premier League, yesterday mounted a strong defence of the body that runs the FA Carling Premiership.

In a frank and wide-ranging address, Leaver said that it would be "very sad for football" if Middlesbrough were to pursue through the courts their grievance about the deduction of points that cost them relegation, and defended the League against accusations of incompetence from Alex Ferguson, the manager of Manchester United.

Leaver, the former Tottenham Hotspur director, who was appointed to succeed Rick Parry three months ago, said he was "a bit surprised" by the comments made by Steve Gibson, the Middlesbrough chairman, before a 1-1 draw against Leeds United last Sunday confirmed that the three points they had taken away for failing to fulfil a fixture against Blackburn Rovers in December would result in demotion.

"The Premier League is being run by people who have no idea what the real football world is about," Gibson, who refused to rule out legal action, had said.

Leaver said: "They might go

to court, no one can stop them, but it would be very sad for football if they did. I don't believe it is the best place to resolve this sort of dispute, it is a sporting matter and should be resolved within the sporting bodies concerned. Anyway, I don't think a court would be very impressed by people who had waited the best part of three months if they felt they had a genuine grievance."

Leaver believes that Gibson's decision may be influenced by whether or not

Riverside exodus 42
Newcastle join chase 42

Middlesbrough beat Chelsea in the FA Cup Final on Saturday. If they do, they would qualify for the Cup Winners' Cup next season. "If anything is going to happen, it will probably happen on Monday," he said, "but I'm not holding my breath."

Ferguson's main complaint had centred on the League's refusal to grant the eventual champions an extension to the season. "Mr Ferguson was not happy, but we couldn't just do it for one club," Leaver said. "We had to look across the board and see how all the other clubs would be affected."

He was more concerned by

Ferguson's remarks on Sunday, when the kick-off at the vital match between Tottenham Hotspur and Coventry City was delayed by 15 minutes — on police advice — because of traffic congestion.

Ferguson felt that the other games involving sides fighting to beat relegation — between Aston Villa and Southampton, Wimbledon and Sunderland, and Leeds and Middlesbrough — should have followed suit in the interests of fairness. "Premier League" Ferguson said. "It's more like the tiddlywinks league."

Asked why Ferguson should choose to involve himself in an issue that did not affect his club, Leaver said: "He likes it, that's what he does. Anyway, what did he expect us to do? Were we really going to ask the players in the other matches to sit around in the dressing-room at half-time while Tottenham and Coventry played catch-up? Were all the spectators expected to mill around and the stewards expected to look after them for an indeterminate period?"

"It seems to me that if you ask sensible questions, there could be only one sensible answer, and that was the decision that was taken."

"They [Manchester United] feel that they should be given consideration that other clubs may not get, but I have to be even-handed and treat all clubs in the same way. If I fall out with Manchester United, it is because I'm trying to be fair."

Leaver has written to Ferguson and Martin Edwards, the United chairman, in an effort to resolve their differences, but has yet to receive a reply.

Leaver also believes that clubs hoping for a windfall from pay-per-view television may be in for a disappointment. "I have looked into the matter, here and in other countries," Leaver said. "I have seen no evidence that it will be the incredible money-spinner that most clubs seem to think."

Leaver also revealed that the new Premiership season will start on August 9, not August 2 as the Premier League had hoped. Negotiations had taken place to bring forward the start date to benefit England's pursuit of a place in the World Cup finals in France next year, but the proposal fell because one club — believed to be Manchester United — had arranged a lucrative pre-season tour of the Far East.

Five Premiership-free weekends have been scheduled for the 1997-98 season to aid England's World Cup preparations.



Draper celebrates after his surprise victory over the formidable Austrian No 3 seed in a match played in searing heat at the Italian Open

Walsh suspended for four weeks

BY JOHN GOODBODY

DAVID WALSH, who rode Barton Bank into second place in the Tote Cheltenham Gold Cup in March, was yesterday banned for four weeks from May 17 after failing a drugs test. Walsh tested positive for amphetamines.

Peter McCormick, Walsh's solicitor, said after the 90-minute hearing before the Jockey Club disciplinary committee that Walsh's explanation about how the stimulant had appeared in his urine had been accepted.

McCormick, with Walsh standing at his side, said after the hearing: "The rule is clear. The offence has been committed and something has to follow. The important thing



Walsh: failed test

for David is that the committee accepted that he did not knowingly take a banned substance."

He declined to outline the explanation that was given to the committee as to how the drug appeared in the urine sample taken from Walsh at Huntingdon on February 27. "That has to remain within the four walls of the committee room," he said.

Dr Michael Turner, the chief medical officer to the Jockey Club, said that the substances were for "recreational" rather than for "performance-enhancing" purposes. When Walsh receives his licence back on June 16, he will be subject to enhanced testing at racecourses and possibly at home. The decision yesterday means that Walsh has probably lost all chance of winning the conditional jockeys' title.

Drug testing on jockeys began in October 1994. Walsh is the third to have tested positive in the 400 tests that have taken place. The analysis was carried out at King's College, London University, the laboratory accredited by the International Olympic Committee.

Racing, page 43

Muster joins seeds on the wayside at Italian Open

BY OUR SPORTS STAFF

THOMAS MUSTER, the defending champion and No 3 seed, yesterday followed the No 1 and No 2 seeds, Pete Sampras and Michael Chang, out of the Italian Open yesterday. The Austrian was surprisingly defeated in the second round, 7-6, 5-7, 7-5, by the Scott Draper, of Australia.

The Wimbledon champion and No 5 seed, Richard Krajicek, of Holland, who lost to Muster in the final last year, was also eliminated, 7-6, 7-6 by Marc Gollner, of Germany. Stamina proved to be the difference between Muster and his little-known opponent, who is ranked No 75 in the world. In a match that lasted three hours and which was played in temperatures of 32°C (90°F), the Austrian failed to last the pace and it was Draper, 21, who beat the winner of the recent German Open, Andrei Medvedev, in the previous round, who progressed.

"I beat a player today who's probably recognised as one of the best clay-court players of all time and to have a win like that certainly gives you a confidence boost," Draper said. "The scary part of it all is that I think I actually won over him physically and mentally. To beat these two guys is a dream come true."

Draper, who said the first set was the hardest he had ever played, made the decisive break to lead 6-5 in the third set when Muster double faulted. He then served out for the match.

The unseeded American, Jim Courier, followed his first-round win over Sampras by defeating Albert Portas, of Spain, 7-6, 6-2. Courier won the tournament in 1992 and 1993.

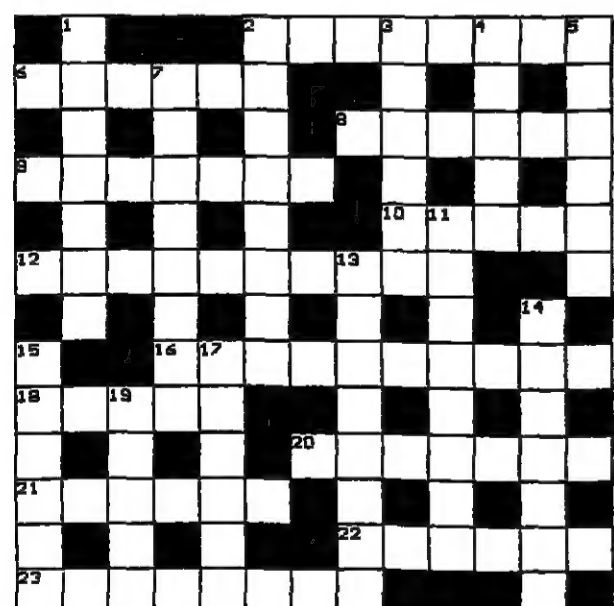
The former world No 1 Mats Wilander, of Sweden, and Karel Novacek, of Czechoslovakia, have been banned for three months by the International Tennis Federation after withdrawing their appeals against positive drug tests taken at the 1995 French Open. They also were ordered

to return all the prize-money they have won since that event — at Wimbledon's case, more than \$180,000 — and for Novacek, about \$116,000 — and have forfeited all ATP Tour computer ranking points won in that period. Both players insisted they were unaware of the presence of cocaine in their bodies, but agreed the urine samples had belonged to them.

Stefi Graf, of Germany, reached the quarter-finals of the German Open in Berlin when she defeated Ruxandra Dragomir, of Romania, 6-3, 6-2. Graf, the No 1 seed, was playing only her second match after returning from a knee injury. The No 3 seed, Lindsay Davenport, lost to Sandrine Testud, of France, 7-6, 7-6.

TIMES TWO CROSSWORD

No 1094 in association with BRITISH MIDLAND



ACROSS

- 2 Deceitful actions (8)
- 6 College finance officer (6)
- 8 John —, poet Laureate 1688 (6)
- 9 Rough cider (7)
- 10 Falsify: smidgy (5)
- 12 Suppliant (10)
- 16 Naughtily engaged (2,2,2,4)
- 18 A ship's capture (5)
- 20 Late afternoon (7)
- 21 Yorks, bowler once: state of truth (6)
- 22 Lancs. town: wrestling hold (6)
- 23 Confine (8)

DOWN

- 1 Accelerate: show signs of life (7)
- 3 Rule-of-silence monk (8)
- 4 Wine pitcher (6)
- 5 A tree: senior (5)
- 7 Over there (arch) (6)
- 9 Not genuine (8)
- 11 New: unchanged (8)
- 13 Anticlimactic occasion (3-5)
- 14 Amy —, Byer: two US presidents (7)
- 15 Tiny broken-off length (6)
- 17 Tin/lead ware (6)
- 19 Abductor of Helen (5)

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All flights are subject to availability.

Post your entry to Times Two Crossword, PO Box 6886, London E2 8SP to arrive by next Monday. The winners' names and solution will appear on Wednesday.

Name/Address

SOLUTION TO NO 1093

ACROSS: 6 Blemish 7 Aloof 9 Spout 10 Tolkien 11 Take on trust 14 Remonstrance 17 Ceramic 19 Eight 21 Stove 22 Liturgy
DOWN: 1 Demo 2 Mistaken 3 Ghetto 4 Wall 5 Solitude 6 Bask 8 Finite 11 To-morrow 12 Travesty 13 Precip 15 Tackle 16 Stay 18 Meek 20 Girl

Nice try, but flawed conversion

The Minister for Sport thinks that playing in Britain should mean qualification for one united team. Simon Barnes disagrees

Let us look at Tony Banks from another angle. All right, he said yesterday that foreigners should play for England instead of Italy, France, Brazil, Denmark, etc. All right, he thinks that there should be a single national team — Team UK — rather than regional teams such as England, Scotland and Wales.

First reaction from anyone with sporting blood: the man's a fool. Second reaction: let's pick a team. Wasms to open the bowling. Juninho in the hole. Fienaar as captain... no one with sporting instincts could resist.

All of which goes to show that Banks is not a fool at all. He has proved that he is a politician and one who understands that the job of sports minister is not a straightforward one. The Conservative administration, after its brief experiment with the loquacious Colin Moynihan, decided that the job was best done by a nebbish. This is a viddish term for a hole in the air, a person whose personal impact is so great that, when he leaves the room, it feels as if someone has come in.

The Conservatives gave us a succession of these. Dennis Howell, Labour's long-term sports minister, used to claim

that most people in the country believed that he was still doing the job. After all, he was still the only sports minister any one had ever heard of.

Enter Banksie. Remember when Bagheera, the black panther, attacks the monkey people in *The Jungle Book*? "He has noticed us," the monkeys shout in delight. "Bagheera has noticed us!"

Well, Banksie, sport has noticed you. "Tony Blair said to me: 'Get in there and live it up,' and I'm going to do precisely that." And that is all

very amusing, is it not? "My role here is to be a bit challenging and controversial and to act as a catalyst."

The matters he brings up are actually worth discussing, even if, in this form, they are more fantasy than coherent thought. The notion of national affiliation in sport is a vexed one, in a world full of jumbo jets and high rewards for the athlete of the moment.

The English cricket team was, for a while, the Liberia of the cricket world, with such flag-of-convenience players as

Hick, Lamb and Smith. The Ireland football team is filled with accents from everywhere but Ireland.

And the partition of the United Kingdom in sporting terms has always been an oddity. In rugby union, it is essential — but only because, without it, there would not be enough top-class rugby countries for a competition.

In football, partition is a matter of little import, small power-bases. The reason that there is never a British team in the Olympic football tournament is because Team UK would erode these power-bases. Celtic and Rangers play in the ridiculous Scottish league, rather than a UK Premiership, for the same reason. It is in some ways clearly daft, ripe for reform.

So Banks does touch on legitimate areas for debate. However, we also have to consider the nature of his job. He is not a half-cock newspaper columnist, a professional kite-flier, a full-time shooter from the hip. He is a minister of the crown. He needs to show that he has a breadth and depth of understanding of his subject and the wisdom to deal with the situations that the job throws up.

Nice ideas, Banksie. But — well, they're not really completely baked, are they?

ENGLAND'S DREAM TEAMS

CRICKET XI

M A Atherton (Lancashire and England)
D C Boon (Durham and Australia)
G P Thorpe (Gloucestershire and England)
D M Jones (Derbyshire and Australia)
S G Law (Essex and Australia)
Z A S. Kumar (Surrey and England)
Wesley Aldrich (Lancashire and Pakistan)
R D S. Gout (Surrey and England)
A A Donald (Worcestershire and S Africa)
Wesley Aldrich (Lancashire and Pakistan)

RUGBY UNION XV

G Rees (Wales and Canada)
R Logan (Wales and Scotland)
J Gascara (Ireland and England)
V Turgut (Worcestershire and W. Samoa)
M O'Brien (Bedford and England)
D Gwynne (Leicestershire and South Africa)
A Hodge (Worcestershire and England)

L. Bénédict (Haiti and Argentina)
J. Leonard (Haiti and England)
D. Lytle (Bath and United States)
M. Johnson (Leicestershire and England)
G. Jones (Bath and Argentina)
L. Cabannes (Haiti and France)
F. Plesner (South Africa and South Africa)

FOOTBALL XI

P. Schuster (Ireland and Denmark)
G. Neville (Ireland and Denmark)
S. Balle (Estonia and Croatia)
F. Lohmeier (Croatia and England)
R. Giggs (Wales and England)
R. Keane (Ireland and England)
J. Kucharski (Middlebrough and Brazil)
D. Beckham (Man United and England)
D. Bergkamp (Arsenal and Holland)
A. Svensson (Newcastle United and England)
G. Zola (Chelsea and Italy)

N8

Not your rank and file pint.

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